

Initial Study/Negative Declaration

**Coyote Creek Trail  
Master Plan,  
Story Road to US 101**

PP08-014



March 2008

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## **SECTION 1.0 INTRODUCTION AND PURPOSE**

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This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 *et. seq.*), and the regulations and policies of the City of San José. This Initial Study evaluates the potential environmental impacts which might reasonably be anticipated to result from the construction of a trail along portions of Coyote Creek in central San José.

The City of San José is proposing to construct an approximately 3.1-mile reach of the planned Coyote Creek Trail from Story Road in the south to the confluence with Lower Silver Creek in the north. The reach provides an alternative transportation option for residents of several neighborhoods with links to urban parks, schools, and the citywide trail network. The Coyote Creek Trail is also an important part of the countywide trail network, which will ultimately link Morgan Hill, San José, and the San Francisco Bay. The trail also serves to extend the Bay Area Ridge Trail because the Coyote Creek trail within the project area is designated as a “valley floor” alignment within that network.

The City of San José is the Lead Agency under CEQA and has prepared this Initial Study to address the impacts of implementing the proposed project.

To implement the proposed trail project, the City will acquire easements and/or purchase property along the project reach. Joint use agreements, easements, encroachment permits, and/or construction permits will be required from the Santa Clara Valley Water District (SCVWD), Caltrans (area beneath Highway 280), and the San José Unified School District (SJUSD) for construction of the trail on properties owned by SCVWD, Caltrans, and SJUSD. The City is also anticipating the acquisition of the railway trestle bridge in the southern portion of the trail reach. These easements, encroachments, and acquisitions are described in detail in Sections 3.1 and 3.3 of this Initial Study.

## **SECTION 2.0      PROJECT INFORMATION**

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### **2.1              PROJECT TITLE**

Coyote Creek Trail Master Plan, Story Road to US 101

### **2.2              PROJECT LOCATION**

The approximately 3.1-mile trail reach would be located in central San José between Story Road and the confluence of Coyote Creek with Lower Silver Creek, just south of US 101. As shown in Figures 1 through 3, the proposed trail reach would be located on the eastern side of Coyote Creek, on existing park trails, maintenance roads, a UPRR trestle bridge at Senter Road, streets and sidewalks from East William Street to East Santa Clara Street, and a future boardwalk and pedestrian bridge.

### **2.3              LEAD AGENCY CONTACT INFORMATION**

City of San José  
Department of Planning, Building, and Code Enforcement  
Michael Rhoades, Senior Planner  
200 East Santa Clara Street  
San José, CA 95113  
(408) 535-7821

#### **Project Proponent**

Department of Parks, Recreation and Neighborhood Services  
Yves Zsutty, Trails Program Manager  
(408) 793-5561

Department of Public Works: City Facilities Architectural Services Division  
Jan Palajac, Project Manager  
(408) 535-8408

### **2.4              PROPERTY OWNER'S NAMES AND ADDRESSES**

City of San José  
200 East Santa Clara Street  
San José, CA 95113

Union Pacific Railroad  
1400 Douglas Street  
Omaha, NE 68179

Santa Clara Valley Water District  
5750 Almaden Expressway  
San José, CA 95118

Caltrans  
P.O. Box 23660  
Oakland, CA 94623-0660

San José Unified School District  
855 Lenzen Avenue  
San José, CA 95126

## **2.5 ASSESSOR'S PARCEL NUMBERS**

472-11-055, 472-11-054, 472-11-003, 472-11-009, 472-21-106, 472-33-011, 472-31-42, 467-12-13, 467-11-39, 249-67-11, 249-67-14, 249-64-30

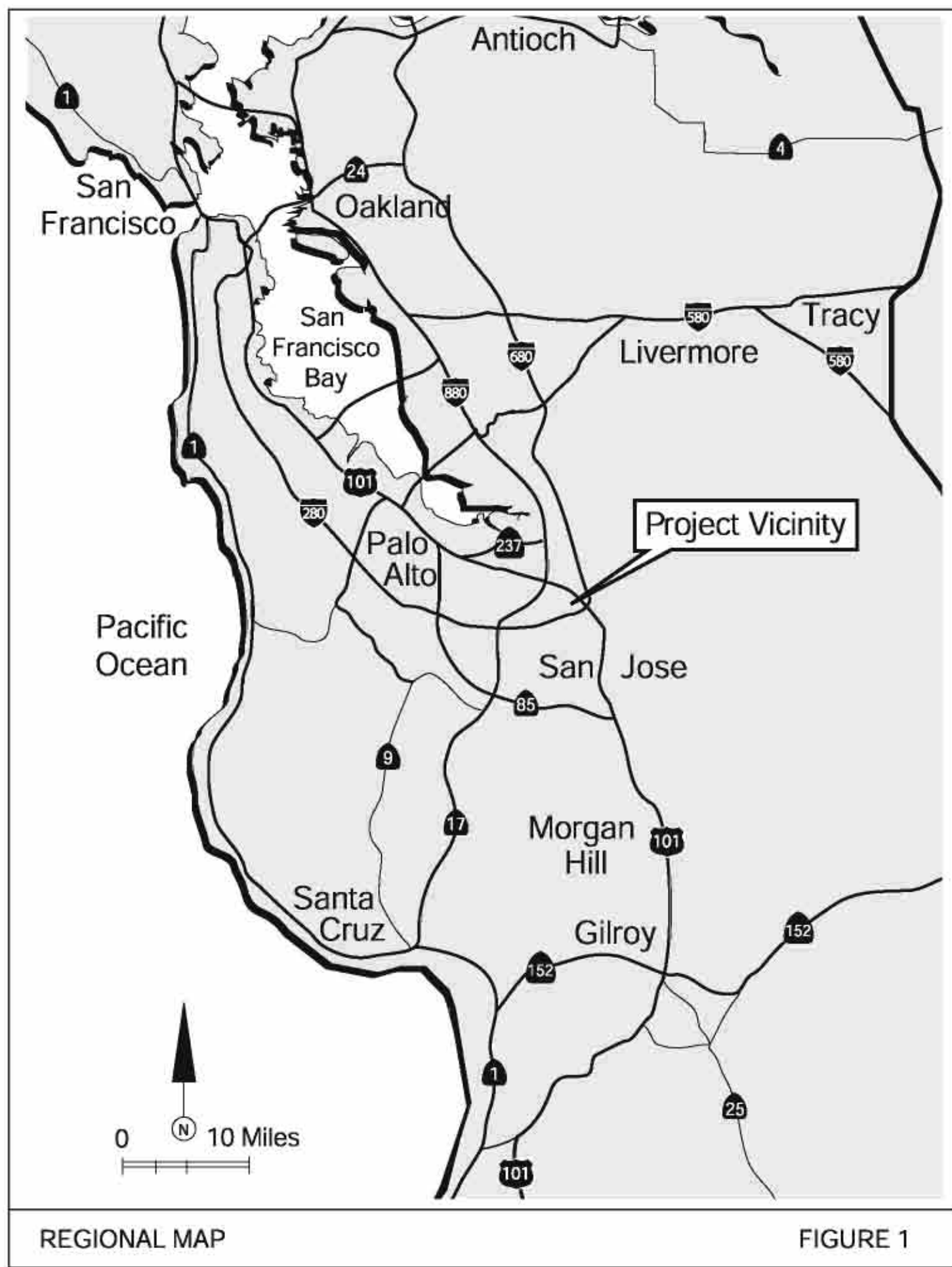
## **2.6 GENERAL PLAN LAND USE AND ZONING DESIGNATIONS**

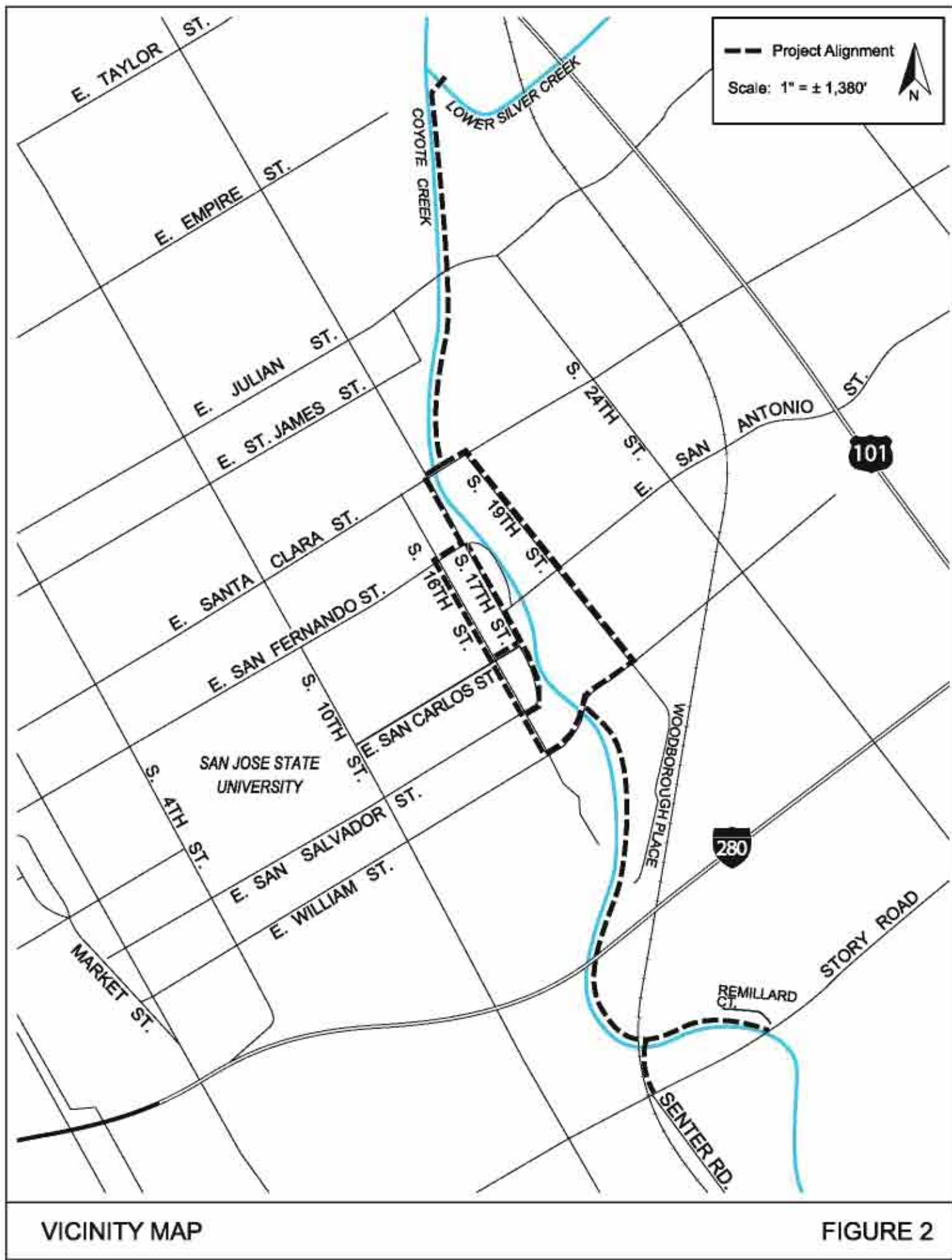
General Plan Land Use Designations along the Trail Reach:

*Public Park/Open Space, Public/Quasi-Public, Medium Low Density Residential, Medium Density Residential, and Medium High Density Residential*

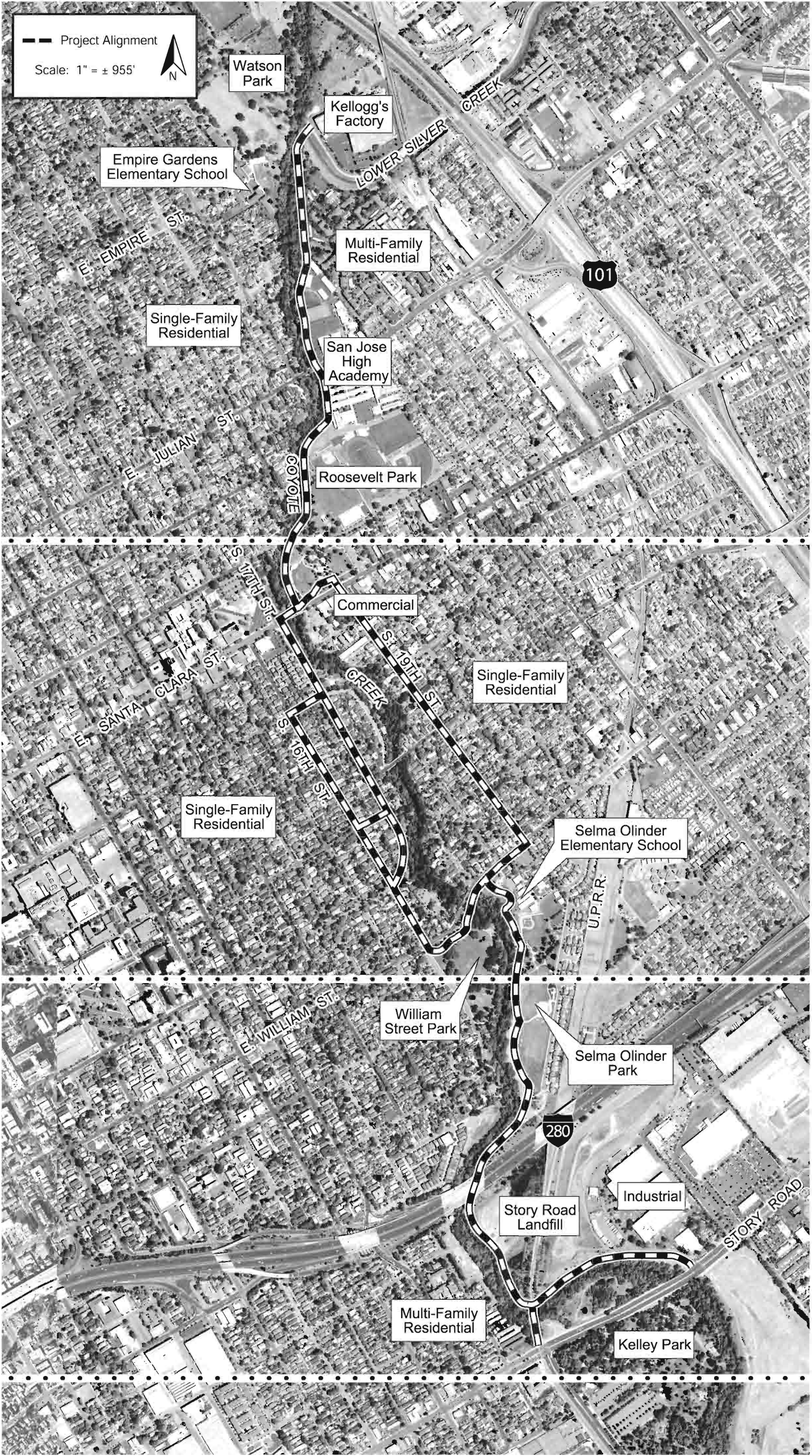
Zoning Designations along the Trail Reach:

*Single-Family Residential, Two-Family Residential, Multi-Family Residential, Light Industrial, and Commercial General*









AERIAL PHOTOGRAPH & SURROUNDING LAND USES

FIGURE 3

## **SECTION 3.0 PROJECT DESCRIPTION**

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### **3.1 OVERVIEW OF THE PROPOSED PROJECT**

The Coyote Creek Trail is part of an existing/planned network of trails along rivers, creeks and overland corridors within San José. When all reaches are completed, the Coyote Creek Trail will be approximately 30 miles in length, extending from the Walnut Rest Area near Anderson Lake County Park in Morgan Hill to the Highway 237 Bikeway in north San José.

Construction of the Coyote Creek Trail has occurred in phases over many years as funding has become available. The trail currently has approximately 18.3 miles of paved and gravel reaches, from the Walnut Rest Area to Hellyer County Park, in southeast San José and the County. In addition, the trail has gravel and paved reaches from Hellyer Avenue to Idlewood Drive, and a hard-packed gravel reach from Montague Expressway to Highway 237 and a paved reach within Selma Olinder Park between Highway 280 and Williams Street.

The proposed project is a Master Plan for the extension of the Coyote Creek Trail from Story Road in the south to Lower Silver Creek in the north. Approximately one-half of the 3.1-mile reach would be located on existing pavement; either on existing trails within Selma Olinder and Roosevelt Parks, or on-street. Portions of the trail through Selma Olinder Park are currently eight feet wide and would be widened to 12-feet as part of the proposed project.

Most of the remainder of the reach would be located on the east side of the creek at the top of bank. The majority of the new portion of the trail would be a 16-foot wide (12 feet paved with two-foot wide compacted base rock shoulders) Class 1 trail<sup>1</sup>; however, constrained portions of the trail would be narrowed to between eight and twelve feet. The most constrained portion is located adjacent to San José High Academy, where a raised boardwalk would be installed at the top of bank.

As described in more detail in Section 3.3, the project anticipates the acquisition of the railway trestle bridge near the southern portion of the reach to allow access to the trail from Senter Road. The project proposes to construct the trail on properties owned by SJUSD and SCVWD; therefore, easements and/or joint use agreements will be required for these segments of the trail. The remainder of the trail reach would be constructed on property owned by the City of San José, including the on-street portions of the trail.

The proposed project does not include the lighting of the trail, except for a relatively short distance under Interstate 280. Including lighting on the trail under the freeway will enhance the safety for trail users. The lighting will be designed to avoid light spillover and glare impacts to surrounding land uses and wildlife.

Access to the trail would be from existing public parks and streets. All components of the trail would be constructed in accordance with the Americans with Disabilities Act (ADA).

### **3.2 PROJECT COMPONENTS**

#### **3.2.1 Trail Reaches**

The following segments of the proposed trail are described in detail below as shown on Figures 4A, 4B, and 4C. Detailed drawings of specific areas are shown on Figures 5-7.

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<sup>1</sup> Class 1 trails are defined as off-street, non-motorized trail facilities.





PROJECT ALIGNMENT : SOUTHERN REACH

FIGURE 4A





PROJECT ALIGNMENT : MIDDLE REACH

FIGURE 4B

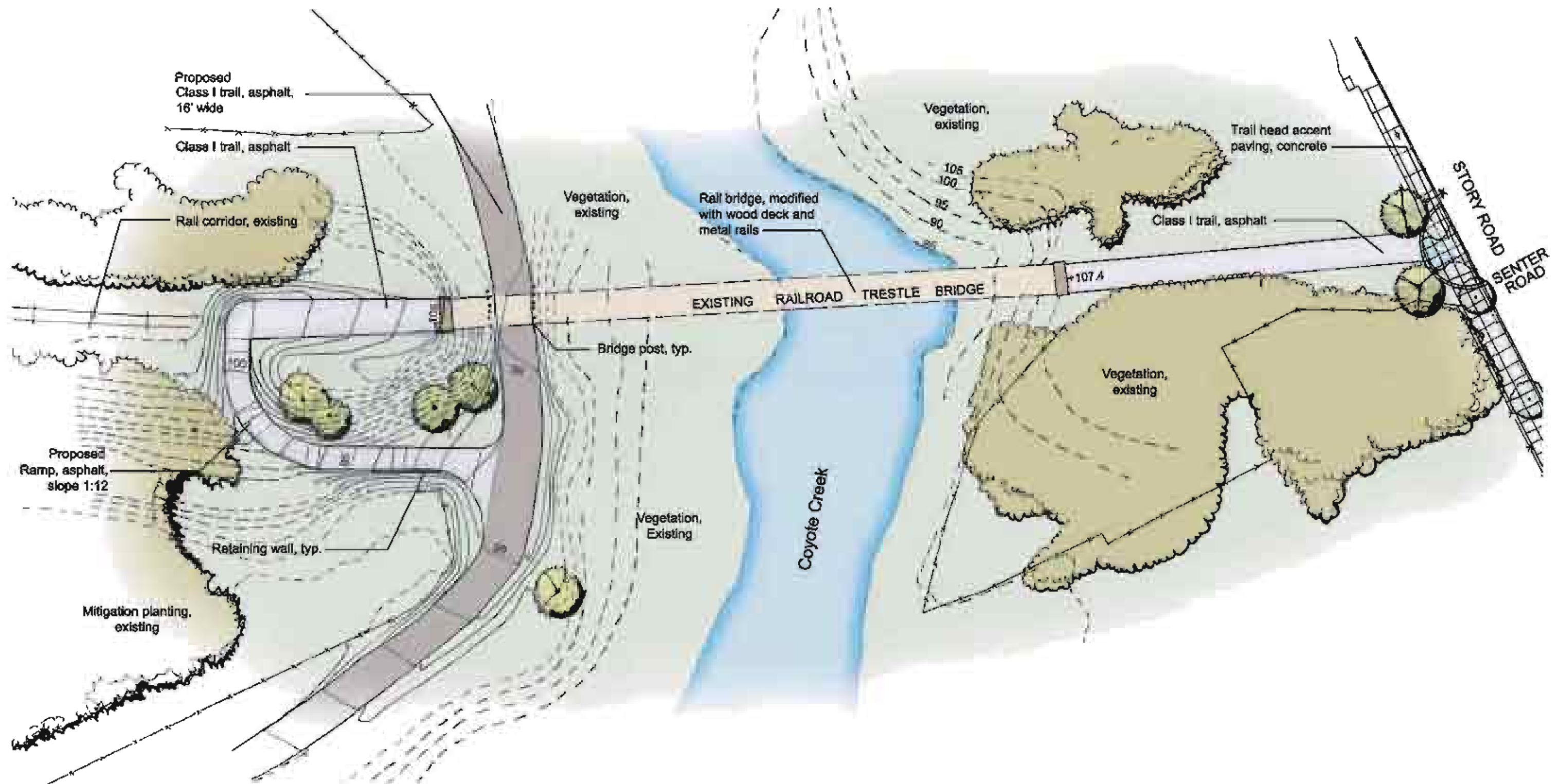




PROJECT ALIGNMENT : NORTHERN REACH

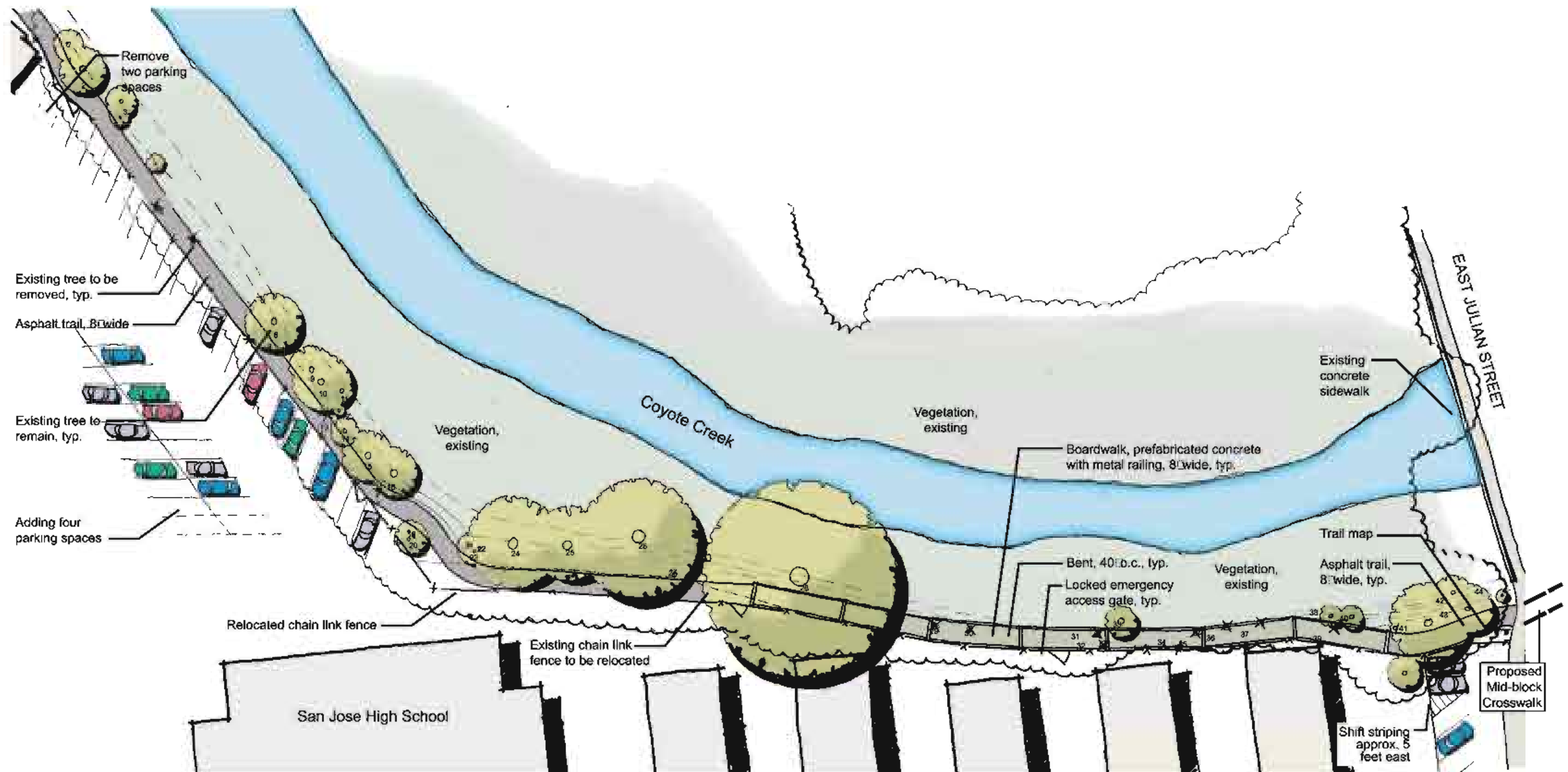
FIGURE 4C





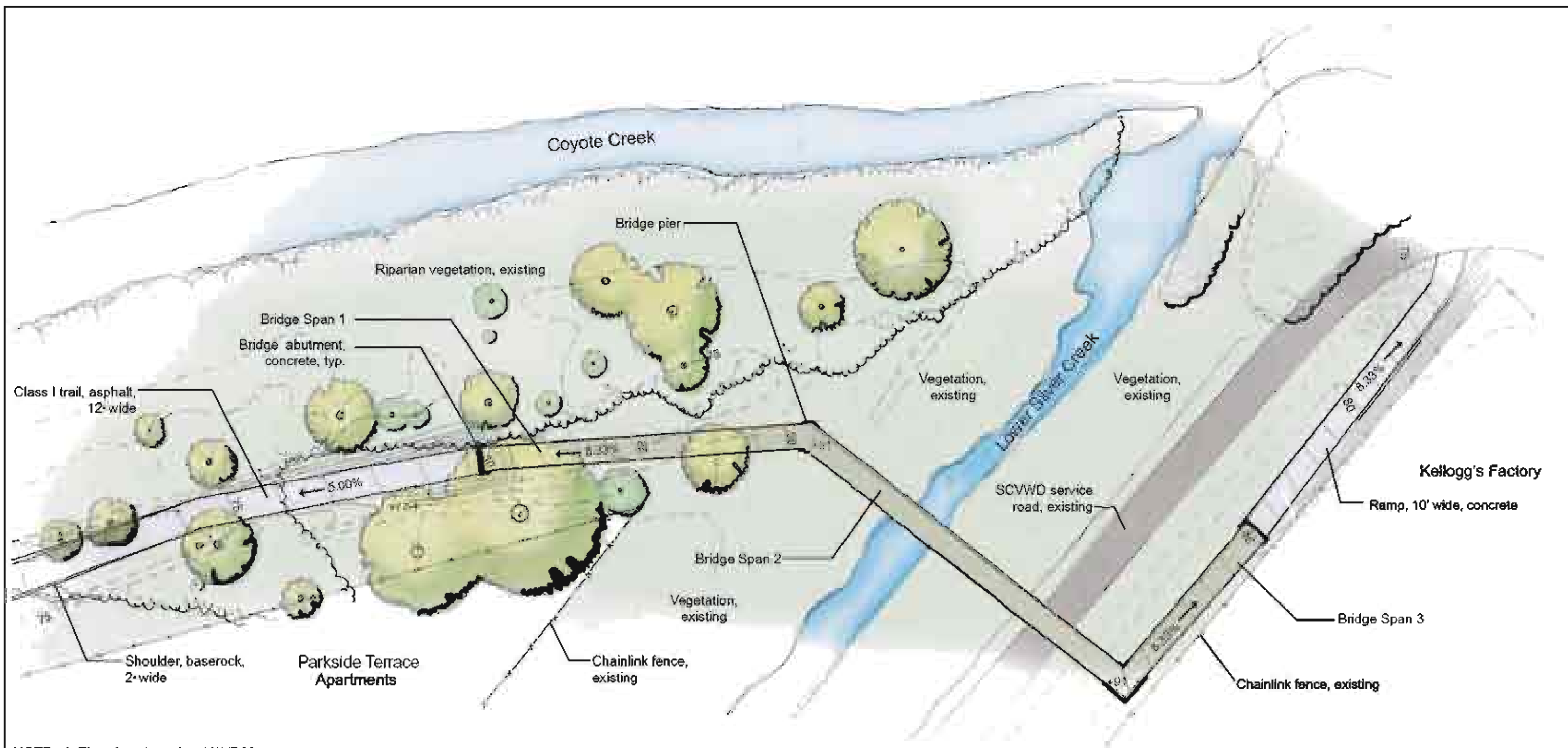
DETAILED DRAWING: RAILWAY BRIDGE CONNECTION

FIGURE 5

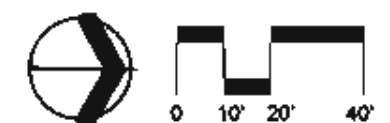


DETAILED DRAWING: BOARDWALK ALIGNMENT / SAN JOSE HIGH ACADEMY

FIGURE 6



NOTE: 1. Elevations based on NAVD88



DETAILED DRAWING: LOWER SILVER CREEK BRIDGE

FIGURE 7



### **3.2.1.1      *Story Road to Selma Olinder Park (Southern Reach)***

As shown on Figure 4A, the proposed Class 1 trail reach would begin at Story Road and Remillard Court near the Coyote Creek Bridge over the arterial roadway. Using an existing City of San José maintenance road, the trail travels north adjacent to Remillard Court and the existing Story Road Landfill. A connecting ramp from the proposed trail would provide access to the existing railway trestle bridge over Coyote Creek, as shown on Figure 5. The trestle bridge, which is no longer used for train traffic, would provide a secondary access point from Story Road and be modified to have a wood deck with metal rails. The trail would continue past an existing riparian habitat mitigation area and the landfill site, under I-280, and continue through Selma Olinder Park and adjacent to Selma Olinder School along an existing trail. The existing pathway in northern Selma Olinder Park would be widened from eight to 12 feet.

### **3.2.1.2      *East William Street to Roosevelt Park (Middle Reach)***

At East William Street, the trail would split to follow two alternate on-street alignments. To access the on-street reach west of Coyote Creek, the trail would cross Coyote Creek at East William Street via an existing pedestrian bridge and connect to an existing eight-foot trail within William Street Park on the west side of the creek. This existing eight-foot trail would be widened to 12 feet. Improvements to the existing pedestrian bridge would be limited to the removal of some fencing at the bridge approaches to allow better pedestrian and bicycle access.

The on-street reach west of Coyote Creek begins at the intersection of East William Street and South 16th Street and would follow sidewalks and an existing bike route along South 16th and 17th Streets to Roosevelt Park on East Santa Clara Street. The eastern on-street reach would travel from Selma Olinder Park, east on East William Street, and north on South 19th Street to Roosevelt Park. There is no posted bike route existing or proposed for the on-street reach east of Coyote Creek. Both the east and west on-street reaches would require minor sidewalk improvements and directional signage to improve accessibility on these on-street routes.

At Roosevelt Park, the proposed trail would travel on an existing pathway through the park lawn area. A new trail would continue on the east side of the creek, north to the San José High Academy property.

### **3.2.1.3      *San José High Academy to Lower Silver Creek (Northern Reach)***

The proposed trail could be constructed adjacent to the San José High Academy property, portions of which would be located on the existing parking lots, as shown in Photo 8. A raised eight-foot wide, 280-foot long boardwalk is proposed along the south campus of the high school, as shown on Figure 6. The boardwalk would be pre-fabricated concrete decking with metal railing on drilled piers. At this location, the narrow width between existing school buildings and the edge of the creek bank (approximately three to four feet) prevents construction of an on-grade trail. A chain-link security fence with four emergency access gates would be located between the trail and the school.

The trail would then cross East Julian Street at a new mid-block crosswalk and travel north between Coyote Creek and the north campus of San José High Academy. This mid-block crosswalk will require approval from the City's Department of Transportation. If the mid-block crosswalk is not included in the project, trail users would be directed to signalized intersections at East Julian Street and North 19<sup>th</sup> Avenue and/or East Julian Street and North 24<sup>th</sup> Avenue. Existing parking lots on the north and south San José High Academy campuses could require restriping to provide space for the proposed trail.

The last portion of the proposed creek trail extension involves the development of a joint use agreement to allow the trail to be placed on an existing SCVWD maintenance road located between the creek and the Park West and Parkside Terrace apartment complexes.

The trail would end with a proposed pedestrian bridge over Lower Silver Creek near its confluence with Coyote Creek, east of and across the creek from Watson Park. The three-span bridge would be 10-12 feet wide and consist of pre-fabricated metal with concrete or wood decking. The first span would be on the south side of Lower Silver Creek and be approximately 140 feet long. The span over the creek would be approximately 160 feet long and would be located at an elevation of approximately 91 feet to allow adequate freeboard, as shown on Figure 7 and described in more detail in Section 4.8.2.2. The third span would be on the north side of the creek and be approximately 90 feet long. Bridge abutments and piers would support the bridge deck. A ramp on the north bank of Lower Silver Creek would be constructed to descend from the bridge to the existing SCVWD service road. At this location, the Coyote Creek Trail would connect to the future Lower Silver Creek Trail. A bridge from Watson Park to the creek trail could ultimately be constructed as part of a future project.

### **3.2.2      Additional Project Features**

The project includes additional improvements along the trail reach, including the installation of gateway features, seating areas, and signage. The project includes four “gateways” to the proposed trail: 1) one trailhead at the southern terminus of the project reach (Remillard Court/Story Road intersection); 2) one trailhead at the northern terminus of the project reach (Lower Silver Creek/Coyote Creek confluence on the north side of the proposed pedestrian bridge); 3) one at Selma Olinder Park at East William Street; and 4) one at the entrance to Roosevelt Park on East Santa Clara Street. The gateways may include seating, fencing, trail maps, and posted information on rules, regulations, and safety. They will be developed in a uniform architectural style to develop public awareness.

Directional, interpretative, and regulatory signage would be provided along the proposed trail reach as needed. To promote accessibility, safety, and ease of use for all potential trail users, signage will be designed to comply with federal, state, Caltrans, and local guidelines, and with the *Santa Clara County Countywide Trails Master Plan Update* (1995). Seating, mileage markers, removable bollards, and dog bag dispensers would also be incorporated at appropriate locations.

The construction of parking for trail use is not included as part of the project. Trail users may use existing facilities, such as the parking areas provided at Kelley, Selma Olinder, William Street, and Roosevelt Parks. On-street parking would also be available to trail users, particularly in the residential neighborhoods along the on-street portion of the reach. In addition to the gateways previously mentioned, access points to the trail would be from the end of Remillard Court, the trestle bridge at Story and Senter Roads, Selma Olinder Park, William Street Park, East Julian Street at San José High Academy, and from the apartment complexes at the northern terminus of the trail.

The trail would be closed one hour after sunset and open one hour before sunrise, consistent with the existing City of San José Trail Rules<sup>2</sup>; therefore, the trail would not have night lighting except under I-280, where the large highway structure darkens the trail, as previously described.

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<sup>2</sup> <http://www.sjpark.org/Trails/TrailsRules.asp>

### **3.2.3      Stormwater Outfalls and Storm Drainage**

Approximately one half of the proposed trail reach would be located on existing park trails or on-street reaches. The other half of the trail would be located on unpaved service roads or along the top of the creek bank. In areas where new trail reaches would be constructed, the trail would be constructed with porous paving and be sloped towards the creek. For the trail reach near the Story Road landfill, where percolation into the soil and potentially the landfill itself is not desired, the trail would be constructed according to the requirements of the permitting/regulatory agencies. In this location, porous pavement may not be allowed and the trail could be built to either slope toward the creek and an associated biofiltration strip along the trail, or slope away from the creek into a concrete v-ditch connected to an outfall. Regardless, because approximately one-half of the project length is to be on existing pathways/trails or public streets, the proposed project is not expected to generate a significant amount of stormwater runoff.

The existing railway trestle bridge would have wood decking and stormwater would continue to enter the creek through the existing gaps in the bridge deck.

### **3.2.4      Riparian Mitigation**

As described in Section 4.4 *Biological Resources*, of this Initial Study, the proposed project would result in biological impacts that will require the replacement of riparian habitat in one or more mitigation areas, and along the project reach. Potential mitigation areas have been identified in Selma Olinder Park, Williams Street Park, Roosevelt Park, and along Coyote Creek north of the Story Road Landfill. Riparian habitat mitigation for the proposed project will be implemented, maintained, and monitored according to the requirements of the appropriate regulatory agencies and the Riparian Mitigation and Monitoring Plan to be prepared for the project.

### **3.2.5      Construction Schedule**

Depending on the acquisition of funding for the project, it is anticipated that the trail construction would start in approximately 2011. The entire construction period, including approvals and permitting, would be between nine and 18 months. As described in Section 4.4, *Biological Resources*, any construction which would occur in the creek channel would only be allowed during the dry season between July 1<sup>st</sup> and October 15<sup>th</sup>, as usually required by the regulatory agencies.

## **3.3              PROPERTY AND EASEMENT ACQUISITIONS**

The project has been designed to be within public rights-of-way to the extent possible; however, there are three locations where the City must either purchase or acquire easements. These properties are described below.

- UPRR Trestle Bridge: The use of the existing trestle bridge as part of the trail project to allow access to Senter Road will require the acquisition of the bridge structure and adjacent land from UPRR. The trestle bridge is no longer used for train traffic.
- SJUSD Property, north and south of East Julian Street: The construction of the trail adjacent to San José High Academy will require easements from the school district. The easements required are primarily adjacent to existing parking lots, which would require restriping to accommodate the proposed trail. The school district has also asked that a tri-party agreement be negotiated and executed between SJUSD, SCVWD and the City and would pertain to operation and maintenance responsibilities associated with the trail and creek channel.

- SCVWD Maintenance Road: A joint use agreement between the City of San José and the SCVWD will need to be negotiated and executed to construct the trail on SCVWD property located primarily in the northern portion of the reach between San José High Academy and the northern terminus of the trail.

An encroachment permit will be required from Caltrans for the trail's construction under I-280.

### **3.4 PERMITS REQUIRED**

It is anticipated that the project would require the following permits:

- Permit from the SCVWD for construction on SCVWD land;
- Encroachment permit from Caltrans; and
- Streambed Alteration Agreement from the California Department of Fish and Game.

### **3.5 USES OF THE INITIAL STUDY**

This Initial Study will be used to obtain a Mitigated Negative Declaration (MND) for the project, which determines that with the implementation of mitigation and standard measures identified, the project would not have a significant effect on the environment. The MND will be used to obtain the necessary permits and/or approvals for the proposed project, including those described in Section 3.4, above. This Initial Study also provides the necessary environmental review for the purchase or acquisition of easements over all privately owned properties.

## SECTION 4.0 ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, was used to identify environmental impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section.

### 4.1 AESTHETICS

#### 4.1.1 Setting

As shown in Figure 3, the project reach is located in central San José, east of downtown. Residential neighborhoods, parks, and schools are located along most of the reach, while an industrial area and landfill are located on the eastern side of the proposed trail reach between Story Road and Interstate 280. While the project area is urban in nature, the residential neighborhoods, mainly consisting of single-family homes constructed during the early 20<sup>th</sup> century, have a historic character.

Along much of the project reach, the creek has steeply incised banks with high quality riparian vegetation. In addition to the creek, the most notable visual features along the proposed reach include the railway trestle bridge, the Story Road Landfill between Remillard Court and I-280, the I-280 bridge, Selma Olinder, William Street and Roosevelt Parks, San José High Academy, two apartment complexes, and the Kellogg's Factory at the northern terminus of the proposed trail.

The project reach is not located within a scenic viewshed or along a scenic highway. With the exception of the parks and residential uses along the on-street reach, the project reach area is not generally visible to the surrounding land uses. Views of the project reach are shown in Photographs 1-14 on the following pages.

#### 4.1.2 Environmental Checklist and Discussion of Impacts

AESTHETICS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 6
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1



Photo 1 - View of Story Road at the intersection with Remillard Court. The gateway to the southern terminus of the trail alignment will be located at this location. The riparian corridor of Coyote Creek can be seen to the left.



Photo 2 - Looking east at the Union Pacific Railroad trestle bridge and City of San José maintenance road. Story Road Landfill is seen to the left and Coyote Creek is located to the right. The bridge will be modified for pedestrian use as part of the project.

## PHOTOS 1 AND 2





Photo 3 - Looking northeast at the existing segment of Coyote Creek Trail through Selma Olinder Park. The creek is located to the left and the single-family residences on Woodborough Drive in the Brookwood neighborhood can be seen to the right.



Photo 4 - Looking west at the pedestrian bridge connecting Selma Olinder Park and William Street Park. The fence and bridge will be modified to improve accessibility.

## PHOTOS 3 AND 4



Photo 5 - Looking north on South 17th Street. The on-street alignment west of Coyote Creek will be located along this street.



Photo 6 - Looking north on South 19th Street from East William Street. The location is part of the on-street alignment east of Coyote Creek.

## PHOTOS 5 AND 6





Photo 7 - Looking south at the lawn area of Roosevelt Park. The proposed trail will connect with the existing park path in this location and continue north along the creek, which is located to the right.



Photo 8 - The top of the creek bank adjacent to San José High Academy's parking lot on Bulldog Boulevard. The proposed trail would be constructed partially on the school parking lot area to the right. The chain-link fence will be relocated.

## PHOTOS 7 AND 8





Photo 9 - The top of the creek bank adjacent to San José High Academy buildings. The raised boardwalk will be constructed along this segment of the creek.



Photo 10 - Looking south from East Julian Street at the proposed location of the northern end of the raised boardwalk. A parking lot of San José High Academy can be seen to the left and the creek is located to the right.

## PHOTOS 9 AND 10





Photo 11 - View of the stone wall along the western boundary of the Park West Apartments property. The SCVWD service road begins at this approximate location and runs south between the riparian corridor of the creek and the residential complexes. The chain-link fence around the north campus of the San José High Academy can be seen in the middle of the photograph.



Photo 12 - View of the Parkside Terrace apartment complex. The proposed trail alignment is located to the left of the vegetation-covered chain-link fence.



Photo 13 - Looking south at the SCVWD service road near the northern terminus of the trail alignment. The ramp to the pedestrian bridge over Lower Silver Creek would begin in this approximate location. The creek is located to the right and the open space of the Parkside Terrace apartment complex is located to the left beyond a chain-link fence.



Photo 14 - Looking north at the SCVWD service road running along the north side of Lower Silver Creek. The confluence of Lower Silver Creek and Coyote Creek is located to the left and the Kellogg's Factory can be seen to the right. The proposed pedestrian bridge would connect with the existing service road at this approximate location. Gateway features will be constructed here to mark the northern terminus of the trail alignment.

## PHOTOS 13 AND 14



#### **4.1.2.1**      *Change in Visual Character*

The project reach is only visible from the immediately surrounding area. The primary visual change as a result of the project would occur at San José High Academy, where a boardwalk would be constructed on the eastern bank of Coyote Creek adjacent to the backs of five school buildings. The construction of the boardwalk would require the removal of trees and relocation of the existing chain-link security fence. Additional trees would be removed north of East Julian Street in the vicinity of the San José High Academy property. These changes would not significantly impact the aesthetic character of the creek, given the urban, non-residential character of the immediate area. In addition, the creek is not easily visible from the school because buildings are located immediately adjacent to the riparian corridor.

Other visual changes would occur at the four locations where gateways to the trail would be constructed. These “gateways” would be designed to blend in with the surrounding community and natural environment through the use of a consistent architectural style. The minor streetscape/sidewalk improvements and signage designating the on-street reach of the trail would not have a significant impact on the visual character of the neighborhood.

The trail may be visible to some of the multi-family residential uses near the northern terminus of the trail reach. However, an existing stone wall along the western edge of the Park West Apartments property and a chain link fence covered in vegetation along the Parkside Terrace property would continue to serve as visual buffers between the multi-family residential uses and the trail.

While the determination of aesthetic impacts is somewhat subjective, it is concluded that construction of the trail would not result in a significant aesthetic impact to the surrounding land uses. The project reach area is not generally visible to the surrounding land uses and the trail currently exists within the parks. The trail would not change the visual character of the residential areas along the on-street reaches. The construction of a trail would not significantly change the visual character of the project area.

#### **4.1.2.2**      *Light and Glare Impacts*

The trail will not be lighted except where it crosses under Interstate 280, where the lighting will enhance the safety for trail users. The lighting will be designed to avoid light spillover and glare impacts to surrounding land uses and wildlife. Therefore, the project would not result in a significant adverse aesthetic lighting impact.

#### **4.1.2.3**      *Impacts to Scenic Vistas*

The project does not include erecting structures that would block any scenic views.

#### **4.1.3**      **Conclusion**

The proposed project would not degrade or substantially change the existing visual character or quality of the site and its surroundings. Therefore, the project would have a less than significant adverse aesthetic impact and no mitigation measures are required or proposed. **(Less than Significant Impact)**

## 4.2 AGRICULTURAL RESOURCES

### 4.2.1 Setting

The project reach is located within urban San José and is not used in an agricultural capacity. The project area is primarily designated as *Public Park/Open Space*, *Public/Quasi-Public*, and *Residential* under the City of San José's General Plan. The zoning designations are *Single-Family Residential*, *Two-Family Residential*, *Multi-Family Residential*, *Light Industrial*, and *Commercial General*. None of the properties adjacent to the project reach are used for agricultural purposes.

### 4.2.2 Environmental Checklist and Discussion of Impacts

AGRICULTURAL RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2

### 4.2.3 Conclusion

The project would not have a direct or indirect adverse impact on agricultural land or agricultural activities either along the project reach or in the project area. **(No Impact)**

## **4.3 AIR QUALITY**

### **4.3.1 Setting**

#### **4.3.1.1 *Background Information***

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere's ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and for photochemical pollutants, sunshine.

The Bay Area typically has moderate ventilation, frequent inversions that restrict vertical dilution, and terrain that restricts horizontal dilution. These factors give the Bay Area a relatively high atmospheric potential for pollution. Of the three pollutants known to at times exceed the state and federal standards in the project area, two are regional pollutants. Both ozone and particulate matter (PM<sub>10</sub>) are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. The third pollutant, carbon monoxide, is considered a local pollutant because elevated concentrations are usually only found near the source.

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as "non-attainment areas. Because of the differences between the national and state data standards, the designation of nonattainment areas is different under the federal and state legislation. Under the California Clean Air Act, Santa Clara County is a non-attainment area for ozone and particulate matter (PM<sub>10</sub>). The County is either in attainment or unclassified for other pollutants.

#### **4.3.1.2 *Sensitive Receptors***

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, and the acutely and chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals and medical clinics. Sensitive receptors near the project site include Selma Olinder Elementary School, San José High Academy, and the residential uses along the on-street reach and east of the trail near the northern terminus (refer to Figure 3).

#### 4.3.2 Environmental Checklist and Discussion of Impacts

<b>AIR QUALITY</b>					
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.					
<b>WOULD THE PROJECT:</b>	<b>IMPACT</b>				<b>SOURCE</b>
	<b>YES</b>			<b>NO</b>	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
e) Create objectionable odors or dust affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

##### 4.3.2.1 *Regional and Local Impacts*

The proposed project would not result in significant local or regional air quality impacts, since it is the construction of a creek trail and would not generate a significant number of additional vehicle trips within the project area. The proposed extension of an existing pedestrian/bike trail through the project area would likely result in a small reduction in vehicle trips by providing an alternative means of transportation for the residents of the surrounding neighborhoods.

The Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines identify projects likely to result in a significant air quality impact, for which an air quality impact analysis must be prepared. These projects are those that generate more than 2,000 vehicle trips per day. The proposed project does not exceed this criterion that would require such an analysis.

##### 4.3.2.2 *Construction-Related Impacts*

Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-waterbased paints, thinners, and some caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Construction activities would temporarily affect local air quality, causing a temporary increase in particulate dust and other emissions, which may result in temporary nuisances to the adjacent residential land uses. The construction of the proposed project would not require



significant grading and thus, would not result in a significant air quality impact associated with temporary air pollutant generation.

**Standard Measures:** The project includes the following standard measures during all phases of construction to prevent visible dust emissions from leaving the site:

- Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
- Notify residents in the vicinity that could be affected by project grading sufficiently prior to construction activities. A construction monitor will be appointed to respond to questions and complaints and will take corrective action within 48 hours.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two (2) feet of freeboard.
- Apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily (or more often if necessary) to prevent visible dust from leaving the construction areas (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality.
- Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.
- Hydroseed or apply (non-toxic) soil stabilizers to inactivate construction areas (previously graded areas inactive for 10 days or more).
- Enclose, cover, water at least twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) to prevent visible dust from leaving the site.
- Limit traffic speed on unpaved roads to 15 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replant vegetation in disturbed areas as quickly as possible.

#### **4.3.3 Conclusion**

The proposed project would not result in long-term regional air quality impacts. Short-term, construction-related air quality impacts would not be significant. Implementation of the above described standard measures will further reduce or avoid short-term air quality impacts associated with the construction of the proposed project. **(Less than Significant Impact)**

## **4.4 BIOLOGICAL RESOURCES**

The following discussion is based upon a *Natural Environment Study (NES)* prepared by H.T. Harvey and Associates, Ecological Consultants. The NES is contained in Appendix A of this Initial Study. The NES includes information pertaining to Coyote Creek and Lower Silver Creek, over which a pedestrian bridge would be constructed as part of the project.

### **4.4.1 Introduction and Regulatory Framework**

As it relates to land use decisions, “biological resources” generally include plant and animal species and the habitats that support such species. Due to the importance of California’s native ecological systems from a biological, heritage, and economic standpoint, impacts on such resources - especially those that are rare or those with high ecological values - are considered an adverse environmental impact under CEQA.

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts, and the natural communities or habitats that support them, are of particular concern. Other sensitive, natural communities (such as wetlands, riparian woodlands, and oak woodland) that are critical to wildlife or ecosystem function are also key biological resources.

In urban areas, planted and native trees that comprise the "urban forest" also provide a range of values. From a biological perspective, urban trees provide habitat for urban-adapted wildlife.

The avoidance and mitigation of significant impacts to biological resources under CEQA is consistent with - and complementary to - various federal, state, and local laws/regulations that are designed to protect such resources. These regulations often mandate that project sponsors obtain permits prior to the commencement of development activities, with measures to avoid and/or mitigate impacts required as permit conditions. Table 1 summarizes many of these laws and regulations; for more details please see Appendix A.

<b>TABLE 1</b> <b>REGULATION OF BIOLOGICAL RESOURCES</b>		
<b>Law/Regulation</b>	<b>Objective(s)</b>	<b>Responsible Agencies</b>
Federal Endangered Species Act	Avoid harm to such species and their habitat and, ultimately, to restore their numbers to where they are no longer threatened or endangered.	U.S. Fish & Wildlife Service (USFWS), NOAA's National Marine Fisheries Service
California Endangered Species Act		California Department of Fish & Game (CDFG)
Federal Migratory Bird Treaty Act	Protect migratory birds, including their nests & eggs.	USFWS
California Fish & Game Code Section 3503.5	Protect birds of prey, including their nests & eggs.	CDFG
Federal Clean Water Act	Avoid/mitigate impacts to wetlands and other "waters of the United States" including streams, lakes, or bays.	U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, Regional Water Quality Control Board
California Fish & Game Code Sections 1600-1616	Avoid/mitigate impacts to rivers, streams, or lakes.	CDFG
San José Riparian Corridor Policy Study	Avoid direct & indirect impacts to riparian corridors.	City of San José
San José Municipal Code Chapter 13.32	Avoid/mitigate impacts to trees (diameter > 18 inches).	City of San José
NOAA = National Oceanic & Atmospheric Administration		

#### **4.4.2        Setting**

##### **4.4.2.1        *Biotic Resources on the Project Site***

The project reach is located within a highly developed area of central San José. Five biotic habitats were identified within the Area of Potential Impact (API) of the proposed project: cottonwood-willow mixed riparian forest, ruderal herbaceous field coyote brush scrub, aquatic, developed, and existing riparian mitigation sites.

#### **Cottonwood-Willow Mixed Riparian Forest Habitat**

Vegetation: Approximately 9.45 acres of mixed riparian forest is located within the project API. Fremont's cottonwood, box elder, coast live oak, red willow, and arroyo willow dominate the riparian plant communities of the project reach of Coyote Creek. Other, less prevalent native tree species include California bay, holly-leaved cherry, and western sycamore. Non-native invasive trees include tree-of-heaven, Chinese elm, Peruvian peppertree, blue gum, cherry plum, olive, Mexican fan palm, Canary Island date palm, almond, and weeping willow. Understory plants

include natives such as blue elderberry, poison oak, Pacific blackberry, California grape, California wild rose, common bedstraw, tall flatsedge, and broadleaf plantain.

**Wildlife:** Riparian habitats are of very high value to wildlife in California. The presence of year-round water and abundant invertebrate fauna provide foraging opportunities for wildlife, and the diverse habitat structure provides cover and nesting opportunities. Although the riparian vegetation within the project area is surrounded by urbanization, it still provides habitat for a wide diversity of wintering and migrating birds, such as Bewick's Wren, Nuttall's Woodpecker, Black-headed Grosbeak, Warbling Vireo, and Western Scrubjay. Raptors, such as Red-shouldered and Cooper's Hawks may nest within the riparian corridor and forage in adjacent habitats. The mixed understory in this habitat likely supports a variety of mammals, reptiles, and amphibians, including California voles and raccoons, western toads, and western fence lizards.

### **Ruderal Herbaceous Field/Coyote Brush Scrub**

**Vegetation:** Approximately 6.27 acres of the project API consists of non-native herbaceous habitat. This habitat is characterized by the dominance of weedy, introduced, annual species such as wild oats, slender oats, Mediterranean barley, hare barley, Italian wild-rye, ripgut brome, saltgrass, Bermuda grass, and smilgrass. Forbs include curly dock, redstem filaree, small mallow, milk thistle, rose clover, and spring vetch.

**Wildlife:** Non-native herbaceous habitats are likely to support substantially fewer wildlife species than native habitats. High amounts of disturbance make these areas poor habitat for wildlife species. Species present in adjacent habitats, such as House Finches, Mourning Doves, raptors, and striped skunks may use the ruderal habitats for foraging. Common mammals expected to use ruderal habitats include California ground squirrels, California voles, and deer mice. Gopher snakes may also be present.

### **Aquatic Habitat**

**Vegetation:** A small amount (0.04 acres) of aquatic habitat is located within the API of Coyote and Lower Silver Creeks. In some aquatic areas, small stands of emergent freshwater marsh vegetation could be found, including common tule and broad-leaved cattail. Some seasonally emergent stands of Italian wild-rye and rough cocklebur were also found at the proposed pedestrian bridge location at Lower Silver Creek. It was determined that no jurisdictional wetland habitat occurs within the API.

**Wildlife:** The aquatic habitats within the project reach support several species of native fishes, such as California roach, Sacramento sucker, and sculpins. The federally threatened steelhead rainbow trout and Chinook salmon are expected to spawn in the waters of Coyote Creek. Amphibians such as western toad, Pacific treefrog, and bullfrogs are present in the creek. Western pond turtles are present in low numbers in this reach of Coyote Creek. Mallards, Green Herons, Great Egrets, Belted Kingfishers and Yuma bats all forage in these waters.

### **Developed Habitat**

**Vegetation:** Approximately 11.90 acres of area within the API are developed to some degree. Vegetation varied widely in developed areas and consisted of several species of ornamental and cultivated trees, shrubs, turf grasses, and bedding plants. Common trees included Peruvian peppertree, maples, mulberry, tree-of-heaven, western sycamore, blue gum, ornamental pines, and other species.

Wildlife: Developed areas can support certain wildlife species adapted to the unique nesting and foraging opportunities found there, but wildlife abundance and diversity is generally low in these areas. Striped skunks, raccoons, fox squirrel, house mouse, black rat, and Virginia opossums occur regularly in urban habitats. Bird species adapted to the urban landscape include House Finch, Northern Mockingbird, Anna's Hummingbird, and California Towhee. The UPRR trestle bridge may provide marginal day-roosting habitat for common species of bats. The I-280 overpass provides no potential roosting habitat for bird species; however, some avian species, including Black Phoebe and Rock Dove were nesting underneath this bridge.

### **Existing Riparian Mitigation Sites**

Vegetation: Two riparian mitigation areas, consisting of a total of approximately 0.48 acres are within the API of the trail project. These sites are shown on Figures 4A and 4C. The existing mitigation sites have been planted with native sapling trees and shrubs, including box elder, willows, valley oak, coyote brush, and mulefat. Plantings were small in stature and fairly regularly and widely spaced.

Wildlife: Because the vegetation in the mitigation areas is at an early stage of growth, it does not yet provide substantial habitat value for wildlife. The existing plants are too young and small to provide much cover or substrate for nesting birds, and foraging potential is minimal.

#### **4.4.2.2      *Special-Status Plants and Animals***

The biotic habitats identified on the project site are limited in size, discontinuous, and disturbed. Therefore, the potential for most special-status plants of the region, which typically occur in open grassland, chaparral, and woodlands, to occur on-site is low. Furthermore, upland areas outside the creek corridor are either highly degraded or urban in nature. These areas support a host of non-native and invasive plant species, which significantly reduces their capacity to support special-status plant and wildlife species. Therefore, only those special-status species common to riparian and aquatic habitats and those species well-adapted to disturbed habitats were considered as potentially occurring at the project site.

Table 1 of Appendix A describes the legal status and a summary of the potential for special-status species to occur on the project site. Plant species for which there is marginally suitable habitat within the API include the bent-flowered fiddleneck, San Francisco wallflower, Loma Prieta hoita, large-flowered leptosiphon, and maple-leaved checkerbloom. Wildlife species that may occur within the creek or the API include steelhead trout, Chinook salmon, western pond turtle, California red-legged frog, San Francisco dusky-footed woodrat, and bird species including Loggerhead Shrike, White-tailed Kite, Cooper's Hawk, Willow Flycatcher, California Yellow-Warbler, and Yellow-breasted Chat.

#### **4.4.2.3      *City of San José Riparian Policy Study***

In May of 1994, the San José City Council adopted the Riparian Corridor Policy Study to guide the City's treatment of riparian corridors and protect biotic resource values when development occurs along creek systems. The study was subsequently revised in March 1999. Riparian habitats are recognized as important natural resources because they support a great variety and abundance of aquatic and terrestrial species due to the availability of water.

The Riparian Corridor Policy Study contains specific guidelines pertaining to development adjacent to riparian corridors. The purpose of the guidelines is to help protect natural resources, provide the City with a tool to evaluate proposed development within and adjacent to riparian corridors,

coordinate recreation and stormwater drainage, and provide guidance to property owners and public agencies when preparing development plans.

According to Guideline 4C of the Riparian Corridor Policy Study, trails should be designed to minimize cut and fill and vegetation disturbance. Trails should be constructed to direct drainage away from direct entry to the creek and include the use of surface drainage infiltration areas. Trails may be placed within ten feet of the creek corridor; however, they can enter the corridor if necessary to maintain continuity. Landscaping along the trail should be native riparian plantings, consistent with the existing vegetation. Finally, where there are road overpasses, trails may enter the riparian corridor so as to provide trail access beneath the road crossing.

#### **4.4.2.4      *City of San José Tree Ordinance***

The City of San José Tree Ordinance defines an ordinance tree as “any woody perennial plant characterized by having a main stem or trunk which measures 56 inches or more in circumference (18 inches in diameter) at a height of 24 inches above natural grade slope”. Due to the dense riparian vegetation, steep creek banks, and the fact that trees would not be removed along most of the reach, all trees within the API were not surveyed. Approximately 102 trees would be removed from two locations adjacent to the San José High Academy property, including the boardwalk area south of East Julian Street and the area between Coyote Creek and the baseball field north of East Julian Street. These trees and their sizes are shown in Table 2, below.

<b>TABLE 2 SUMMARY OF RIPARIAN TREES TO BE REMOVED</b>				
<b>Diameter</b>	<b>Tree Type</b>			<b>Total</b>
	<b>Native</b>	<b>Non-Native</b>	<b>Non-Native Invasive</b>	
Less than 6 inches	29	8	29	66
6 to 11 inches	10	3	8	21
12 to 17 inches	4	0	5	9
18 inches or greater	3	1	2	6
<b>Total</b>	46	12	44	102
<b>Source:</b> H.T. Harvey and Associates, December 2007.				

#### **4.4.2.5      *City of San José Heritage Trees***

Under the City of San José Municipal Code, Sections 13.28.330 and 13.32.090, specific trees are found, because of factors including, but not limited to, their history, girth, height, species or unique quality, to have a special significance to the community and are designated Heritage Trees. There are no heritage trees on the project site.

#### 4.4.3 Environmental Checklist and Discussion of Impacts

BIOLOGICAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCES
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 4
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 4
c) Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 4
e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 5
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

##### 4.4.3.1 *Impacts to Sensitive Habitats*

#### **Riparian Forest**

The proposed project would result in direct (removal) and indirect (trimming, root impacts, soil compaction) impacts to riparian habitat within two locations on the San José High Academy campus, both north and south of East Julian Street. In these areas, only those trees whose removal is absolutely necessary for trail construction would be removed. Many of the 102 trees to be removed are non-native and/or non-native invasive species and their removal can actually improve riparian habitat in the area in the long-term.

Construction of the proposed trail south of East Julian Street would affect approximately 750 feet of riparian habitat along the upper bank adjacent to the school property. Where the reach is most constrained, the project proposes to construct a boardwalk adjacent to the school buildings to reduce

impacts to the riparian habitat. Approximately 43 linear feet of Shaded Riverine Aquatic (SRA) habitat would be removed for the construction of the boardwalk. Impacts to SRA habitat, which affect special-status wildlife species (steelhead trout and Chinook salmon), are described in more detail in Section 4.4.3.2.

In the area north of East Julian Street, the baseball field constrains the construction of the proposed trail for approximately 450 feet. North of this area, some understory saplings and shrubs would be removed for trail construction along the apartment complex properties. The brush to be removed is approximately 40% native and 60% non-native species. The total surface area to be impacted is 4,500 ft<sup>2</sup>, with 1,800 ft<sup>2</sup> of impacts to native dominated understory.

The project would result in a significant impact due to the permanent loss of riparian habitat, including understory and SRA habitat. However, the proposed project includes the planting of replacement trees and habitat within one or more future mitigation areas and along the project reach. Ample opportunities for riparian habitat mitigation were found within portions of Selma Olinder Park, William Street Park, Roosevelt Park, and around the Story Road Landfill. The preferred mitigation area(s) will be determined during the final design and permit process. Trees may also be planted in other locations adjacent to the creek and/or trail. Mitigation measures for the establishment of riparian habitat mitigation areas, in addition to standard measures for protecting the trees to remain along the project reach, are described below.

**Impact BIO-1:** The project would result in a significant impact due to the loss of riparian habitat, including trees, understory, and SRA habitat. Trees to be retained may be impacted during construction. **(Significant Impact)**

**Mitigation Measures:** The proposed project includes the following mitigation measures to reduce impacts to riparian habitat (trees and understory habitat loss) to a less than significant level:

**MM BIO-1.1:** All of the trees to be removed will be replaced at the following ratios:

TABLE 3 TREE REPLACEMENT RATIOS				
Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Non-Native Invasive	
18 inches or greater	5:1	2:1	0.5:1	24-inch box
12 - 17 inches	3:1	2:1	0.5:1	24-inch box
6 – 11 inches	2:1	1:1	0.5:1	15-gallon container
less than 6 inches	1:1	0.5:1	0:1	15-gallon container
<b>Notes:</b> X:X = tree replacement to tree loss ratio Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.				

Based upon the sizes and species of the trees to be removed, the project proposes to plant approximately 93 replacement trees in one or more mitigation areas and/or along the project reach. The mitigation ratio for native tree removal exceeds the requirements of the City of San José's Tree Ordinance, although the mitigation ratio for non-native, invasive tree removal is lower because these



species represent a threat to riparian habitat value and their removal is not as negative as the removal of native riparian species.

The required tree plantings can be accomplished on approximately 0.47 acres within one or more mitigation areas. Trees to be planted adjacent to the creek, but outside of the mitigation areas, must be native trees appropriate for the Coyote Creek riparian habitat. Trees planted away from the riparian corridor could be native or non-native.

**MM BIO-1.2:** Based on a replacement ratio of 1:1, approximately 1,800 ft<sup>2</sup> of native understory will be replaced as part of the project. This replacement habitat can be located within the same mitigation area(s) as the tree replacement plantings.

**MM BIO-1.3:** A Riparian Mitigation and Monitoring Plan shall be completed for the project to mitigate for impacts to riparian understory habitat and shall include:

- Mitigation design, including soil preparation methods, planting plan, and irrigation and maintenance plan;
- Monitoring plan, including performance criteria, monitoring methods, data analysis, monitoring schedule, and remedial/adaptive management. Mitigation sites will be monitored over a 10-year period; and
- Contingency plan for mitigation elements that do not meet performance or final success criteria.

**Standard Tree Protection Measures:** The following tree protection measures are included in the project to protect trees to be retained during construction:

- The City shall retain a consulting arborist/biologist. The construction superintendent shall meet with the consulting arborist/biologist before beginning work to discuss work procedures and tree protection.
- Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to demolition, grubbing or grading. Fences shall be six feet chain-link or equivalent as approved by consulting arborist/biologist. Fences are to remain until all grading and construction is completed.
- Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.
- No grading, construction, demolition, or other work shall occur within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the consulting arborist.
- Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist/biologist.
- Supplemental irrigation shall be applied as determined by the consulting arborist/biologist.

- If injury should occur to any tree during construction, it shall be evaluated as soon as possible by the consulting arborist/biologist.
- No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the TREE PROTECTION ZONE.
- Any additional tree pruning needed for clearance during construction must be performed or supervised by an arborist/biologist and not by construction personnel.
- As trees withdraw water from soil, expansive soils may shrink within the root area. Therefore, foundations, footings, and pavements on expansive soils near trees shall be designed to withstand differential displacement.

### **Aquatic Habitat**

The proposed project is not expected to directly or indirectly impact either aquatic or freshwater marsh habitat in Coyote Creek beyond temporary impacts to SRA habitat due to tree removal, as described in Section 4.4.3.2 below. Construction of the pedestrian bridge over Lower Silver Creek may require the installation of falsework and/or dewatering the channel during bridge installation, creating temporary impacts to aquatic and freshwater marsh habitat. Only a small surface area of habitat (96 ft<sup>2</sup>) would be temporarily impacted. These temporary impacts would be mitigated by restoring the topography and level of soil compaction to the preconstruction condition. Impacts to aquatic habitat would be less than significant.

#### **4.4.3.2      *Impacts to Special Status Plants and Animals***

##### **Plants**

Only one special status plant species was determined to potentially occur in the API: maple-leaved checkerbloom. Maple-leaved checkerbloom is a perennial herb that occurs in riparian habitats primarily in northern California. Maple-leaved checkerbloom was not found during reconnaissance-level surveys and the project vicinity provides marginal habitat for this species, only a small amount of which would be impacted by the project. For these reasons, impacts to this species would be less than significant.

##### **Wildlife**

The following discussion focuses on wildlife species that are known to be present within the project reach. Other species were rejected as having a potential for occurrence because the project area lacks suitable habitat and/or is outside the range of the species. Information regarding these other species can be found in Appendix A.

Steelhead and Chinook Salmon: Both steelhead (federally-listed) and Chinook salmon (California species of special concern) are salmonids known to occur in Coyote Creek. A variety of favorable stream conditions are found in the project reach, including potential spawning habitat and suitable rearing habitat for juveniles. The project reach of Coyote Creek is in the Critical Habitat designation for steelhead.

Riparian vegetation provides shade over Coyote Creek, helping to maintain moderate water temperatures during summer and to provide organic matter and terrestrial insects to the aquatic food chain. The temporary loss of approximately 43 linear feet of SRA habitat would not be significant because this length is only 0.3% of the total length of the channel reach and the remaining low flow

channel of the creek along the project reach is well shaded and trees would be maintained along the creek adjacent to the impacted area, thus continuing to provide shade for the creek. In addition, the removal of a small amount of SRA habitat would improve growth conditions for existing riparian tree saplings in the area by allowing more sunshine within the riparian habitat. These saplings would be expected to grow rapidly and reestablish SRA habitat within 10 to 20 years. For these reasons, the proposed project would not result in long-term impacts to salmonids, including those associated with the loss of SRA habitat.

The project would result in short-term, construction-related water quality impacts to salmonids resulting from tree removal in the vicinity of the boardwalk area and construction of the pedestrian bridge over Lower Silver Creek. Mitigation measures are included in the project, as described below, to reduce these impacts to a less than significant level.

**Mitigation and Avoidance Measures:** The proposed project includes the following mitigation and avoidance measures to reduce impacts to water quality and salmonids during construction to a less than significant level:

- To minimize impacts to salmonids, construction within the creek channel will be restricted to the dry season (July 1<sup>st</sup> to October 15<sup>th</sup>), the period after the spawning season when minimal water is in the channel and movement of salmonids within the project area is expected to be minimal. Any salmonid redds (juveniles) downstream from the site should not be impacted directly or indirectly, if construction occurs during this time because redds are not active during this period and minor stream sedimentation from construction activities is not expected to permanently impact salmonid redds downstream. Small amounts of sediment that accumulate in gravelly spawning areas will likely be flushed out when flows increase after rainfall, during the late fall and winter following construction. Environmentally Sensitive Area (ESA) fencing will be installed at the upstream and downstream limits of work within the creek banks and tree removal sites to prevent construction equipment and crews from disturbing the active channel beyond the limits of work.
- It is possible that juvenile steelhead could be moving downstream during the dry season. Therefore, measures will be taken to ensure that individual steelhead are not killed and that movement of steelhead is not prevented by any water-diversion structures used during construction, regardless of the timing of construction. If dewatering is required for construction of the bridge over Lower Silver Creek, a U-shaped coffer dam comprised of clean gravel and plastic sheeting will be installed. The area of dewatering and construction activity within the channel will be minimized. A qualified fisheries biologist will be present during dewatering, and will relocate any fish trapped within the coffer dam to suitable habitat in the live stream channel. A temporary water diversion structure within jurisdictional waters will require a permit from the US Army Corps of Engineers.
- It is understood that Best Management Practices (BMP) outlined above for aquatic habitat/water quality protection will be implemented. The project will avoid equipment operation in the live stream channel. If work within the stream channel is unavoidable, then any stream flow will be diverted around the work area by a barrier, new channel, or other conveyance capable of permitting upstream and downstream fish movement, as previously described. Construction of such a barrier, or new channel, would normally begin in the downstream area and continue in an upstream direction, and the flow should be diverted only when construction of the diversion is completed. No debris, soil, sand, bark, slash, sawdust, cement, concrete, washings, petroleum products, or other organic or earthen material will be allowed to enter into or be placed where it may be washed by rainfall or runoff into Coyote or Lower Silver Creeks.

- All conditions of the Streambed Alteration Agreement to be obtained for the project from CDFG will be implemented.
- To protect water quality in Coyote and Lower Silver Creeks, the project will conform with the California Stormwater Quality Association's Stormwater BMP Handbook for New and Redevelopment. Implementation of the water quality protection BMPs, including installation of silt fencing between the project and the creek, will prevent adverse impacts to water quality in Coyote and Lower Silver Creeks and minimize potential impacts to aquatic species such as salmonids.
- Machinery will be refueled at least 60 feet from aquatic habitat, and a spill prevention and response plan will be developed.
- If these measures are implemented, potentially adverse effects upon water quality will be reduced to a less than significant level. If these measures fail, however, the City will consult with local representatives of the CDFG and RWQCB to develop contingency measures.

**Western Pond Turtle:** The western pond turtle has been recorded in the project reach of Coyote Creek, but the likelihood that a viable population is present along this reach is low. This is due to the cumulative effects of urbanization, including the release of non-native turtles, predation by pets and non-native mammals, capture by humans, degradation of water quality, and loss of upland nesting habitat. While there is a low probability that individual western pond turtles would be impacted by the project, the mitigation and avoidance measures to be implemented for impacts to salmonids, as described above, will reduce potential impacts to western pond turtles to a less than significant level.

**Special Status Bird Species:** As previously described, several special status wildlife bird species could occur in the project area. With the exception of Cooper's Hawk, Yellow Warbler, and White-tailed Kite, none of the other species are expected to breed in the project area and occasional foraging individuals are not expected to be impacted by the project. Therefore, the following discussion focuses on impacts to these species.

Cooper's Hawk, Yellow Warbler, and White-tailed Kite are not particularly rare in the region and suitable habitat for these species is regionally abundant. The project reach provides a very small amount of suitable nesting and foraging habitat, and the project's effect on these raptor species is not expected to significantly impact regional populations in the long-term. The expected increase in human activity along the trail reach would not significantly impact these species because the project area is already heavily disturbed by urban use.

These species are protected by the Migratory Bird Treaty Act and impacts to active nests during construction would be a significant impact. Therefore, the proposed project includes standard measures to reduce impacts to Cooper's Hawk, Yellow Warbler, and White-tailed Kite nests to a less than significant level.

**Standard Measures:** The project proposes to implement the following standard measures to reduce construction-related impacts to nesting raptors:

- If possible, construction shall be scheduled between October and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be completed by a qualified ornithologist to identify active raptor nests that may be disturbed during project implementation.

- Between February and August (inclusive), pre-construction surveys shall be completed no more than seven days prior to the initiation of construction activities.
- The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests.
- If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist, shall, in consultation with CDFG, designate a construction-free buffer zone (typically 250 feet) around the nest.
- The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading or building permit.

#### **4.4.3.3      *City of San José Riparian Policy Study***

The proposed project is consistent with Guideline 4C of the Riparian Corridor Policy Study, as described above. The trail project has been designed to be consistent with the setback requirements of the policy and to minimize grading, drainage impacts, and vegetation disturbance. Native riparian plantings are included as part of the project and the trail passes under I-280, as allowed by the policy. With the exception of the reach under Interstate 280, the trail will not be lighted. The lighting under the relatively short freeway overpass will be designed to avoid impacts to wildlife species.

#### **4.4.4      Conclusion**

The proposed project includes mitigation and avoidance measures to avoid or reduce impacts associated with the loss of riparian forest habitat and impacts to special status species. Mitigation is also included in the project for impacts to ordinance size trees. Therefore, the project would not result in significant impacts to biological resources within the project area. **(Less than Significant Impact with Mitigation Incorporated)**

## 4.5 CULTURAL RESOURCES

The following discussion is based on an *Archaeological Survey Report* (ASR) prepared by Basin Research Associates, Inc. in June 2007. The ASR included a field survey and a record search/literature review at the California Historical Resources Information System, Northwest Information Center (CHRIS/NWIC) located at Sonoma State University to obtain information about recorded prehistoric and/or historic archaeological sites in and around the project area. Due to the sensitive nature of archaeological information, the ASR is on file at the City of San José's Department of Planning, Building, and Code Enforcement, 200 E. Santa Clara Street, and can be viewed during normal business hours.

### 4.5.1 Setting

#### 4.5.1.1 *Prehistoric Resources*

The project area is within the ethnographic and historic boundaries of the Native American group known as the Costanoan. The closest known tribelet settlements are located at the second Mission Santa Clara site and at the confluence of Los Gatos Creek and the Guadalupe River. While the project reach is located within the City of San José's Archaeological Sensitivity Zone (2020 General Plan), the ASR did not identify any ethnographic settlements, prehistoric archaeological sites, or contemporary Native American resources in or adjacent to the project reach. However, there may have been a prehistoric trail located along Coyote Creek or passing through the study area, but no physical evidence was identified during the field review of the project reach. In addition, the Native American Heritage Commission (NCHC) records search found a sacred site located within or near the project reach; however, the Native American individual who was specifically recommended to provide information on the site indicated that the sacred resource is located a considerable distance west of the proposed trail extension.

#### 4.5.1.2 *Historic Resources*

The records search completed by the CHRIS/NWIC found 14 reported resources in the project study area. The sites located on or directly adjacent to the trail reach include the Julian Street Bridge over Coyote Creek, the Coyote Creek Bridge on East Santa Clara Street, and the San José High Academy. While none of the 14 sites appear to be eligible for inclusion on the National Register of Historic Places or the California Register of Historic Resources, the San José High Academy is listed as a City Landmark.

Other features and potential historic resources are located on or directly adjacent to the trail reach, although none are considered significant. Coyote Creek is part of the Santa Clara Water Conservation System, which is identified as a "Historic Civil Engineering Landmark of San Francisco and Northern California" by the American Society of Engineers. Western Pacific Railroad, now owned by Union Pacific Railroad (UPRR), once operated on the tracks and utilized the trestle bridge, which is part of the proposed trail connection with the intersection of Senter Road and Story Road. The trestle bridge was identified as a typical example of a common type with no known association with important events or persons in local history, according to the evaluation by consulting architectural historian Ward Hill (see *Exhibits- Bridge Evaluation Forms* in the ASR). The brickyard operated by the Laffey #9 Remillard Brick Company and later by the Remillard-Dandini Brick Company was located adjacent to the railroad tracks at this location.

The proposed on-street trail reach west of Coyote Creek is located in the Naglee Park Conservation Area, as listed in the *2007 San José Historic Resources Inventory*. The A. Largarde Homestead/Columbia Hospital was located at the present location of Roosevelt Park. The streetcar

and sewer and water lines that ran along Santa Clara Street through the project area have also been identified as historic archaeological resources.

While the ASR also identified other potential historic resources located within the vicinity of the project reach, none are identified as significant resources. Additionally, the report did not identify any potentially significant Hispanic era or American Period historic resources located within the project area.

#### 4.5.2 Environmental Checklist and Discussion of Impacts

CULTURAL RESOURCES					
WOULD THE PROJECT	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 6

##### 4.5.2.1 *Prehistoric Resources*

The site is located in a zone of archaeological sensitivity, as mapped by the City of San José; however, no recorded sites are located in the project area. While there is always a chance that cultural resources could be discovered during subsurface grading and excavation, the probability of encountering such materials on the site is low. Therefore, mechanical subsurface testing for cultural resources prior to construction is not recommended and archaeological monitoring of future earthmoving and/or excavation is not required.

**Standard Measures:** Although the project is not expected to result in impacts to cultural materials during construction, the project proposes to implement the following standard measures to reduce impacts to prehistoric resources:

- Should evidence of prehistoric cultural resources be discovered during construction work, all work within 25 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Environmental Principal Planner.
- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains

during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, the Native American Heritage Commission shall be notified to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

#### **4.5.2.2        *Historic Resources***

The project reach does not contain any historic properties that are listed or eligible for inclusion in the National Register of Historic Places or the California Register of Historic Resources. Further, the construction of the project would not adversely impact any potential historic or archaeological resources that have been identified along the trail reach or within the vicinity of the project area.

#### **4.5.3        Conclusion**

The proposed project would not result in significant impacts to cultural resources. **(Less than Significant Impact)**



## 4.6 GEOLOGY AND SOILS

The following discussion is based on a *Geotechnical Analysis* completed by Pacific Geotechnical Engineering in May 2007, which is included in this Initial Study as Appendix B. The purpose of this investigation was to review previous geotechnical reports covering the project reach, complete a general site reconnaissance, evaluate the site geology, and provide recommendations on site preparation, grading, and foundation design. Because much of the reach would be located on existing trails, streets, and gravel maintenance roads, the report focused on evaluating the subsurface conditions and providing development recommendations for the design and construction of the proposed boardwalk on the east bank of Coyote Creek adjacent to San José High Academy, and the pedestrian bridge over Lower Silver Creek at the northern terminus of the trail reach.

### 4.6.1 Setting

#### 4.6.1.1 *Geological Features*

The project reach is located in the Santa Clara Valley between the Santa Cruz Mountains to the west and Diablo/Mount Hamilton Range to the east. The valley trends north to south, and is typified by flat, mostly urbanized terrain cut by northward-draining rivers and creeks. The project reach is located in central San José, east of downtown. The reach is relatively flat and has an elevation of approximately 95 feet.<sup>3</sup> The most notable topographic feature in the project area is Coyote Creek.

The project area is located in the Coast Range Geomorphic Province of Central California. Bedrock underlying the area is part of the Franciscan Complex, a diverse group of igneous, sedimentary, and metamorphic rocks of the Upper Jurassic to Cretaceous age (70 to 140 million years old). These rocks are part of a northwesterly-trending belt of material that lies along the east side of the San Andreas Fault system. The Franciscan Complex is overlain by alluvium and stream terrace deposits of Holocene age (less than 11,000 years old), comprised primarily of loose, poorly consolidated sands, gravels, silts, and clays.

#### 4.6.1.2 *Geologic Conditions*

### Soils

Along much of the project reach, Coyote Creek has steeply incised banks with high quality riparian vegetation. The slopes of Lower Silver Creek at the pedestrian bridge site are 3:1 (horizontal: vertical) on the southern bank and 1.75:1 on the northern bank. The creek bank at the proposed boardwalk site is about 25 to 30 feet high and is covered with vegetation, and the upper portion of the bank is almost vertical. This area of the reach has been eroding and in various areas, sack concrete has been used for stabilization.

As part of the geotechnical analysis, four soil borings were drilled to obtain soil samples and to gather information on the site's subsurface conditions; two at the proposed boardwalk location adjacent to San José High Academy, and two at the proposed pedestrian bridge over Lower Silver Creek at the northern terminus of the trail reach. The subsurface conditions at the boring locations consist of a surface cover of fill soil, composed of stiff sandy lean clay at varying depths.

Expansive soils shrink and swell as a result of moisture changes. These changes can cause heaving and cracking of slabs-on-grade, pavements, and structures found on shallow foundations. Soils on

<sup>3</sup> City of San José, *Roosevelt Park Master Plan Amendment Initial Study and Mitigated Negative Declaration*, December 2003.

the site have a low expansion potential, given that the soils near the surface generally consist of lean clay with low plasticity. The project area is located outside of the Santa Clara County Geologic Hazard Zones for compressible soil, landslides, and dike failure.<sup>4</sup>

### **Seismicity and Seismic Hazards**

The project reach is located in the seismically active Santa Clara County, which is designated as Seismic Activity Zone 4 (most seismically active zone in the United States) by the Uniform Building Code. In addition, the project reach is located within a California State Seismic Hazard Zone, as mapped by the State Department of Conservation, Division of Mines and Geology.<sup>5</sup>

The San Andreas Fault is located approximately 13 miles southwest of the project reach, while the Calaveras and Hayward Faults are located approximately 7 miles and 4 miles to the northeast, respectively. The project site is not located within a State of California Earthquake Fault Zone and no major faults have been mapped in the immediate vicinity of the reach.

### **Liquefaction**

Soil liquefaction is a phenomenon in which generally saturated, cohesionless soils undergo a temporary decrease in strength during earthquake ground shaking and acquire a degree of mobility sufficient to permit ground deformation. In extreme cases, the soil particles can become suspended in groundwater, resulting in the deposit becoming mobile and fluid-like. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface.

The project reach lies within a Santa Clara County Liquefaction Hazard Zone.<sup>6</sup> Additionally, the Association of Bay Area Governments has identified a very high to moderate potential for liquefaction in the areas along the creek trail reach. Based on the generally unconsolidated nature of the underlying alluvial deposits and the historically shallow groundwater in the area (approximately 30 feet), the California Geological Survey (CGS) has also designated the general project area as having a potential for liquefaction resulting from earthquakes of large magnitude.

### **Lateral Spreading**

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. Lateral-spreading usually occurs on mild slopes with underlying loose sands and a shallow groundwater table. The potential of lateral-spreading generally mirrors the liquefaction potential of the area.

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<sup>4</sup> Santa Clara County Geologic Hazard Zones Map (Compressible Soil Hazard Zones, Landslide Hazard Zones, and Dike Failure Hazard Zones), [http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20\(DEP\)/attachments/58260520.pdf](http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20(DEP)/attachments/58260520.pdf), 2002.

<sup>5</sup> *Seismic Hazard Zone Report for the San José West 7.5-minute Quadrangle, Santa Clara County, California*, Seismic Hazard Zone Report 058, 2002.

<sup>6</sup> Santa Clara County Geologic Hazard Zones Map (Liquefaction Hazard Zones), [http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20\(DEP\)/attachments/58252220.pdf](http://www.sccgov.org/SCC/docs/Planning,%20Office%20of%20(DEP)/attachments/58252220.pdf), 2002.

#### 4.6.2

#### Environmental Checklist and Discussion of Impacts

GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7, 8
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7, 8, 9, 10
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7, 9
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 7
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	7
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

As previously described, the reaches of the proposed reach with the potential for geologic impacts are the proposed boardwalk adjacent to San José High Academy and the proposed pedestrian bridge over Lower Silver Creek. Therefore, the following discussion of potential impacts focuses on these two specific areas. The proposed boardwalk would be at least eight feet wide and approximately 280 feet long. The proposed pedestrian bridge over Lower Silver Creek would be a prefabricated metal structure about ten feet wide with concrete decking. The span over the creek would be approximately 160 feet.

##### 4.6.2.1 *Geologic and Soil Conditions*

As previously described, the geotechnical investigation by *Pacific Geotechnical Engineering* identified the creekbank proposed for the boardwalk as an area in which erosion is occurring. Therefore, further evaluation of the subsurface conditions will be required during the final design and permitting process to identify specific stabilization measures at this location to reduce potential geotechnical impacts of constructing the proposed boardwalk. Specific stabilization measures will be developed by an engineering geologist and will be reviewed and approved by the City, prior to

issuance of any grading or building permits. With the standard mitigation measures and specific recommendations incorporated into the project design and construction, the proposed project would not result in significant geotechnical impacts.

Soils on the remaining portions of the project reach have a low expansion potential; therefore the project would not expose people or property to significant risks related to expansive soil.

**Standard Measures:** The project proposes to implement the following standard measures to reduce or avoid geologic and soil impacts:

- Design and construct structures in accordance with the design-level geotechnical investigation to be prepared for the project, which will identify the specific design features that will be required for the project, including site preparation, compaction, excavations, foundation and subgrade design, piers, drainage, and pavement design. The geotechnical investigation shall be reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works clearance for the project.
- Implement standard grading and best management practices to prevent substantial erosion and siltation during the development of the site.

#### **4.6.2.2      *Seismicity and Seismic Hazards***

It is expected that the project reach would be subject to significant seismic events over the life of the project. Trail users would be exposed to hazards associated with such severe ground shaking during a major earthquake on one of the region's active faults. This hazard is not unique to the project, because it applies throughout the greater Bay Area.

Since the project site is not located within an Alquist-Priolo Earthquake Fault Zone and no major faults have been mapped in the immediate vicinity of the reach, the likelihood of ground rupture from faulting across the project reach is low.

The project shall be designed to incorporate standard construction specifications and future supplemental reports that will include specific design features for the proposed pedestrian bridge and boardwalk. With the standard mitigation measures and specific recommendations incorporated in the project design and construction, the proposed project would not result in significant seismic-related impacts.

**Standard Measures:** The project proposes to implement the following standard measures to reduce or avoid seismic-related impacts:

- The proposed project shall be designed and constructed in conformance with the Uniform Building Code guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking and seismic-related hazards, including liquefaction.
- The project will implement standard engineering practices to ensure that geotechnical and soil hazards do not result from its construction. The geotechnical report recommends the use of cast-in-place, reinforced concrete, drilled piers for the foundation of both the proposed boardwalk and pedestrian bridge. It is anticipated that the post-construction settlement of the pier system would be less than 0.5 inches. Supplemental geotechnical investigations shall be completed during the design phase to evaluate subsurface conditions at the proposed boardwalk and pedestrian bridge sites.

#### 4.6.3 Conclusion

Standard construction methods and recommendations from the geotechnical investigations will be incorporated into the design and permitting process for the project. Therefore, the proposed project would not result in significant soils or geologic impacts. **(Less than Significant Impact)**

## **4.7 HAZARDS AND HAZARDOUS MATERIALS**

The following section is based on the *Phase I Environmental Site Assessment- Proposed Coyote Creek Trail Extension, Story Road to Lower Silver Creek, San José California*, which was completed by Krazan & Associates, Inc. in June, 2007. This Phase I included a review of aerial photographs, a field assessment, and an agency/database search. The main report is included in Appendix D of this Initial Study.

### **4.7.1 Setting**

#### **4.7.1.1 *Site Conditions***

The project reach is located in a predominantly residential area, with industrial uses located at both ends of the proposed trail. Much of the project reach is located on undeveloped land, including unpaved and gravel-covered land, while portions of the proposed trail would be located on existing concrete-paved trails and surface streets. The project also includes trail construction on an existing UPRR trestle bridge.

#### **On-Site Observations**

The project reach was generally observed to be vacant land with no on-site structures. There were no visible signs of on-site hazardous materials or hazardous waste in the project reach or contamination in the water of Coyote Creek or the surrounding banks. The site reconnaissance also indicated that it is unlikely that significant amounts of hazardous materials are stored on the properties adjacent to the project reach.

#### **Historical Site Conditions**

Aerial photos reviewed as part of the Phase I Environmental Site Assessment (1939, 1956, 1965, 1974, 1982, 1993, 1998, and 2005) did not show any significant changes in the general conditions of the surrounding land uses. The photographs did not reveal any structures located on the project reach. While much of the surrounding residential areas had already been developed by 1939, the remaining industrial and commercial development had mainly occurred between 1956 and 1974. The railroad tracks and trestle bridge have been present since at least 1939, but are no longer in operation.

#### **Regulatory Database Search**

The database information obtained by Krazan & Associates identified sites located within the vicinity of the project reach that use or have released hazardous materials. The only site located within the project reach is the former Story Road Landfill, which is discussed in Section 4.7.1.2 below, while the potential off-site sources of contamination are discussed in Section 4.7.1.3.

The remaining sites identified in the regulatory database search are not considered to have the potential for an adverse affect on the proposed project. These sites are located a sufficient distance from the project reach and are hydraulically cross- or down-gradient (meaning that the groundwater beneath the contaminated sites would not flow directly toward the project reach). This conclusion is based on the assumption that contaminants migrate large distances through groundwater in the general direction of groundwater flow, rather than laterally through soil.



#### **4.7.1.2      *Potential Sources of Contamination***

##### **Former Story Road Landfill**

Records from the Regional Water Quality Control Board (RWQCB) show that the proposed trail segment from the end of Remillard Court to I-280 is located on the site of the former Story Road Landfill. The property was originally owned by the Remillard-Dandini Brick Company, which used the site for manufacturing bricks from clay mined from the east banks of Coyote Creek. The land was used as a private landfill from 1957 until 1961, when the City of San José condemned the property and began operating the municipal Story Road Landfill. In approximately 1970, the landfill closed and was covered with soil. No records were found on the exact composition of the disposed refuse.

Since 1987, the former Story Road Landfill site has been subject to environmental monitoring and remediation plans. As the primary provider of regulatory oversight, the RWQCB adopted Waste Discharge Requirements (WDR) in 1992 and updated the closure, maintenance, and monitoring requirements through WDR Order No. R2-2003-0086 in 2003. Monitoring in 2006 revealed that groundwater underlying the southern portion of the site is likely impacted by leachate from the operation of the former landfill.

A Tentative Order, issued May 17, 2007, establishes additional site clean-up requirements and mitigation measures. The Tentative Order also requires a risk assessment “1) if data indicate that potential human or environmental exposures exist as determined by the discharger or Water Board Staff, 2) upon submittal of landfill reuse/redevelopment plans, or 3) upon any actual or proposed material change to the landfill as determined by the discharger or Water Board staff”. The purpose of the evaluation would be to identify the potential exposure pathways of waste located within or discharged from the landfill, and to evaluate the associated risks to potential receptors. Given that a segment of the proposed trail reach would be located on the former Story Road Landfill site, the project would be subject to these RWQCB requirements.

Although the existing condition of the subsurface soil at the location of the proposed project reach is unknown, it appears likely that landfill refuse is located under the surface of at least portions of the proposed trail segment. Past soil borings in the vicinity of the project reach indicate that the refuse is covered by a layer of soil ranging from one to six feet. In addition, a shallow landfill gas survey (two to eight feet below the surface) was completed in 1992 at the former Story Road Landfill in the vicinity of the project reach. The survey found significant concentrations of methane and relatively low concentrations of benzene, vinyl chloride, substituted benzene, and chlorinated solvents.

##### **Railway Tracks**

A proposed trail connection with Story Road and Senter Road would be located on the abandoned railway tracks and trestle bridge in the southern segment of the trail reach. Railroad tracks have the potential for arsenic and lead contamination due to the historical application of herbicides by railroad operators and the deterioration of train mechanical components. The condition of the soil in the immediate vicinity of the tracks is unknown.

##### **Asbestos-Containing Materials**

No buildings are located on the project reach; therefore asbestos-containing building materials are not considered to be environmental concerns for the proposed project.

## **Agricultural Use Impacts**

The assessment determined that it is unlikely that the project reach was used for agriculture; therefore, impacts from the use, storage, or application of agricultural chemicals are not considered to be an environmental concern.

### **4.7.1.3 *Potential Off-Site Sources of Contamination***

#### **Roberts Avenue Landfill**

Studies have found relatively low concentrations of contaminants in the groundwater beneath the former Roberts Avenue Landfill, which is located approximately 100 feet to the southeast from the southern terminus of the proposed trail. The groundwater beneath this landfill site reportedly flows southwest, cross-gradient with the project reach. Therefore, the former Roberts Avenue Landfill site would not affect the proposed trail.

#### **Santa Clara Transfer Services Facility**

The Santa Clara Transfer Services facility, located adjacent to the north side of the former Story Road Landfill site, has experienced hazardous materials leaks from fuel and waste oil underground storage tanks (UST's). In 1989, UST's were removed from the cover soil located over the refuse associated with the former landfill. The Transfer Services facility owner and the City of San José, the landfill owner, have agreed that the fuel released from the UST's is indistinguishable from the existing contamination from the refuse. Because the City is already required to contain all leachate and impacted groundwater coming from the landfill under the RWQCB's WDR, the City has also agreed to be responsible for all fuel contamination, regardless of its origin. Therefore, the impacts to the project from the Santa Clara Transfer Services facility are included in the impacts associated with the trail's proximity to the Story Road Landfill site.

#### **Watson Park**

Watson Park is located on the west side of Coyote Creek, approximately 250 feet from the northern terminus of the proposed eastside trail reach. According to a review of the California Environmental Protections Agency, Department of Toxic Substances Control (DTSC) database, Watson Park is the only cleanup site within the immediate vicinity of the project area.<sup>7</sup> In 2005, city officials closed the entire park after preliminary soil tests revealed the presence of lead and other toxins. The contamination occurred during the operation of a city landfill on the site from 1900 to 1930 and from the demolition of the incinerator in 1934. Further studies determined that the distribution of contaminated soil includes Watson Park, Empire Gardens Elementary School, and some adjacent residential properties; however, the contamination does not appear to have impacted Coyote Creek or the quality of groundwater and stormwater near Watson Park. Because the creek separates the contaminated area from the project reach, Watson Park is not anticipated to adversely affect the proposed trail.

According to the City of San José Department of Public Works website, the City developed a Draft Remedial Action Plan (RAP) to evaluate the risks, goals, and strategies for cleaning up the areas of concern within Watson Park. The Department of Toxic Substances Control (DTSC) reviewed the Draft RAP and it was determined that the City will need to implement a joint clean-up and restoration project

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<sup>7</sup> The Lorentz Barrel & Drum Company site was also identified as a DTSC cleanup site during the database review. Given that this site is located over 2,300 feet from the project reach and that the site has experience ongoing and apparently effective remediation, this facility would not adversely affect the proposed project.

of Watson Park, instead of a RAP. The project is anticipated to begin in April 2009, after completion of the appropriate environmental review.<sup>8</sup>

### **Kellogg Company Facility**

The existing Kellogg Company Facility is located adjacent to the northern terminus of the trail reach at 475 Eggo Way. The facility uses a variety of hazardous materials, generates a small quantity of hazardous waste, and pre-treats its wastewater on-site prior to discharge to the municipal sewer system. Three UST's were removed from the site in 1984. The records search did not reveal any documented release of petroleum hydrocarbons associated with the UST's or any other significant hazardous materials release from the Kellogg's Factory.

The Kellogg Company Facility is listed as a California Accidental Release Prevention Program (CalARP) site.<sup>9</sup> The CalARP program monitors sites where certain hazardous materials are stored in excess of threshold quantities and the release of such materials may have offsite consequences. The potential exposure to a hazardous materials release from this facility is greatest for the permanent populations associated with the existing uses in the project area, such as nearby residents and students at the Empire Elementary School, rather than occasional trail users.

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<sup>8</sup> ("Watson Park- Status Update", <http://www.sanjoseca.gov/prns/watsonpark/Doc/Jan%2007%20newsltr%20-ENG%20final%20%20w%20correx.pdf>, January 24, 2007; "Watson Park - Q&A", [http://www.sanjoseca.gov/prns/watsonpark/WP\\_SchedQA\\_6%2025%2007final.pdf](http://www.sanjoseca.gov/prns/watsonpark/WP_SchedQA_6%2025%2007final.pdf), June 22, 2007)

<sup>9</sup> Blamey, Jim, Hazardous Materials Program Manager, County of Santa Clara Department of Environmental Health, September 5, 2006; and Murtiff, Michael, Senior Hazardous Materials Inspector, City of San José Fire Department, September 7, 2006.

## 4.7.2

**Environmental Checklist and Discussion of Impacts**

<b>HAZARDS &amp; HAZARDOUS MATERIALS</b>					
<b>WOULD THE PROJECT</b>	<b>IMPACT</b>				<b>SOURCE</b>
	<b>YES</b>			<b>NO</b>	
	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 11
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 11
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 11
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 11
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

The proposed project would not result in the routine use or transport of hazardous materials within the project area. The implementation of BMPs and mitigation and avoidance measures described in Section 4.4 *Biological Resources* and Section 4.8 *Hydrology and Water Quality*, would reduce or avoid impacts associated with the potential release of contaminants into the creek during construction to a less than significant level.

The project site is not located within the Santa Clara County Airport Land Use Commission's jurisdiction. Construction of the creek trail would improve emergency access to the creek area, as

the trail would be wide enough to accommodate most emergency vehicles, with the exception of large fire trucks.

The proposed project would not increase the potential for wildland fires along Coyote Creek and may reduce the incident of such fires by introducing the presence of the general public into the more secluded, inaccessible areas along the trail reach. This issue is discussed further Section 4.13 *Public Services*.

#### **4.7.2.1      *Potential Sources of Contamination***

##### **Story Road Landfill**

As noted in Section 4.7.1.2 above, the proposed trail could pass over the site of the former Story Road Landfill and is subject to RWQCB Waste Discharge Requirements. It is anticipated that the construction of the trail in this area would not involve grading or significant excavation; therefore, the project would not impact the integrity of the landfill. However, the City of San José will make the final decision of the project's impact on the landfill after receiving the detailed site plans and the City's determination would need to be reviewed by the RWQCB. If it is determined that the project would be a material change or a reuse/redevelopment of the landfill, then a risk assessment would be required.

The exact composition and thickness of the soil beneath the landfill site is unknown, although it appears likely that refuse is located under the surface of at least portions of the proposed trail segment through the site. While the trail construction at the landfill site is anticipated to be minimally invasive, it is possible that refuse, methane gas, or other potentially hazardous materials may be encountered during the construction of this trail segment. The presence of hazardous materials at this site could pose an adverse health risk to construction workers and/or trail users.

**Impact HAZ-1:**      The proposed project has the potential to create a significant hazard to construction workers and/or to the public as a result of trail construction over portions of the former Story Road Landfill site. **(Significant Impact)**

**Mitigation Measure:** The proposed project includes the following mitigation measure to reduce or the potential for hazardous materials impacts to a less than significant level:

**MM HAZ-1.1:**      Prior to project construction, a Phase II Environmental Site Assessment (soil testing) will be completed to determine subsurface soil conditions along the proposed trail segment near the former Story Road Landfill site. If significant quantities of potentially hazardous materials are found, appropriate remediation measures and a risk assessment will be completed prior to project construction, per the requirements of the City of San José and the RWQCB.

##### **Railway Tracks**

As noted in Section 4.7.1.2 above, the project includes construction of a trail connection on an existing railway track and trestle bridge near Senter Road. Soil conditions in the vicinity of the site are unknown. However, hazardous materials, such as lead and arsenic, may be present at this site and could pose an adverse health risk to construction workers or trail users.

**Impact HAZ-2:** The proposed project has potentially significant hazardous materials impacts at the site of the existing UPRR track and trestle bridge. **(Significant Impact)**

**Mitigation Measure:** The proposed project includes the following mitigation and avoidance measures to reduce the potential for hazardous materials impacts due to construction of the trail in the vicinity of the UPRR tracks to a less than significant level:

**MM HAZ-2.1:** Following the City's acquisition of the UPRR property, a Phase II Environmental Site Assessment (with soil testing) will be completed to determine the subsurface soil conditions in the vicinity of the on-site railroad tracks. If significant quantities of potentially hazardous materials are found, appropriate remediation measures identified in the Phase II will be implemented prior to trail construction in the vicinity of the UPRR right-of-way, per the requirements of the City of San José.

#### **4.7.2.2 *Potential Off-Site Sources of Contamination***

As previously discussed, the former Roberts Avenue Landfill and Watson Park would not pose an adverse effect on the proposed project. The potential impacts of the Santa Clara Transfer Services Facility would occur through the former Story Road Landfill site. As discussed in Section 4.7.2.1 above, mitigation measures would reduce the risk of hazardous materials exposure at this site to a less than significant level.

#### **Kellogg Company Facility**

Although the Kellogg Company utilizes a variety of hazardous materials in their facility located at the northern terminus of the proposed trail, no records of a significant hazardous materials release were found. Further, the UST's removed in 1984 do not appear to have adversely impacted the site. Given the temporary and mobile nature of trail users in the vicinity of the facility, the risk to trail users from an accidental release of ammonia would be relatively low. Therefore, it is not anticipated that the Kellogg site would have a significant impact on the proposed project.

The potential for the project reach to be adversely affected by off-site sources of contamination is less than significant.

#### **4.7.3 Conclusion**

The proposed project includes mitigation and avoidance measures to avoid or reduce impacts associated with the potential exposure of hazardous materials. Therefore, the proposed project would not result in significant impacts associated with the past or future storage, use, or transportation of hazardous materials along the project reach. **(Less than Significant Impact with Mitigation Incorporated)**

## 4.8 HYDROLOGY AND WATER QUALITY

This section is primarily based upon two location hydraulic studies prepared for the proposed project by CH2M HILL in May and November 2007. The *Coyote Creek Trail Boardwalk: Lower Silver Creek to Story Road Location Hydraulic Study* and the *Coyote Creek/Lower Silver Creek Pedestrian Crossing- Location Hydraulic Study* are included in Appendix D. The purpose of these studies was to determine the impact of constructing the proposed boardwalk adjacent to San José High Academy and the proposed pedestrian bridge over Lower Silver Creek, located at the northern terminus of the project reach.

### 4.8.1 Setting

The primary hydraulic feature in the project area is Coyote Creek. The creek originates in the Diablo Range near Morgan Hill, travels through San José, and drains into the San Francisco Bay near Milpitas.<sup>10</sup> The Coyote Creek watershed, covering over 320 square miles, is the largest in Santa Clara County.<sup>11</sup> While Coyote Creek mainly follows its historical reach, land development and the construction of drainage ditches and channels have changed the natural hydrology of the watershed and increased runoff into Coyote Creek.<sup>12</sup> The confluence of the creek with Lower Silver Creek is located at the northern terminus of the project reach.

With the exception of the area under the I-280 bridge, the banks of Coyote Creek are steep and heavily vegetated. According to the Federal Emergency Management Agency's Flood Insurance Rate Maps (Panel No. 060349 0025, revised June 19, 1989, and Panel No. 0603490019, revised December 16, 1988), the proposed trail is located within the floodplain for most of the project reach, although floodwaters are relatively well contained within the creek channel in some locations. The only areas outside of the floodplain are portions of the on-street reaches on South 16<sup>th</sup> and 19<sup>th</sup> Streets, and the South 17<sup>th</sup> Street reach. As recently as 1997 and 1998, storms have caused flooding of Coyote Creek especially in the vicinity of William Street Park. However, the project reach is part of the Mid-Coyote Creek Project, which the Santa Clara Valley Water District (SCVWD) is developing to improve flood protection of the properties along the creek from Montague Expressway to I-280.<sup>13</sup>

#### 4.8.1.1 *Regulatory Requirements*

##### **Santa Clara Valley Urban Runoff Pollution Prevention Program**

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), previously called the Santa Clara Valley Non-point Source Program, was developed in accordance with the requirements of the 1986 San Francisco Bay Basin Water Quality Control Plan. The purpose of the program is to reduce water pollution associated with urban stormwater runoff, which includes metals, pesticides, herbicides, and other contaminants such as oil, grease, lead, and animal waste.

The State Water Resources Control Board implemented the NPDES general construction permit for the Santa Clara Valley. For properties of one acre or greater, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

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<sup>10</sup> San Francisco Estuary Institute, *Coyote Creek Watershed Historical Ecology Study*, May 2006.

<sup>11</sup> SCVWD, [http://www.valleywater.org/Water/Watersheds\\_-\\_streams\\_and\\_floods/Watershed\\_info\\_&\\_projects/Coyote/index.shtml](http://www.valleywater.org/Water/Watersheds_-_streams_and_floods/Watershed_info_&_projects/Coyote/index.shtml), 2002.

<sup>12</sup> San Francisco Estuary Institute, *Coyote Creek Watershed Historical Ecology Study*, May 2006.

<sup>13</sup> SCVWD, [http://www.valleywater.org/Water/Watersheds\\_-\\_streams\\_and\\_floods/Watershed\\_info\\_&\\_projects/Coyote/index.shtml](http://www.valleywater.org/Water/Watersheds_-_streams_and_floods/Watershed_info_&_projects/Coyote/index.shtml), 2002.



Under the provisions of the Municipal NPDES Permit, the City is required to take steps within its area of authority to reduce or eliminate pollutants in stormwater to the maximum extent practical. According to Provision C.3 of the SCVURPPP, the proposed creek trail project is exempt from the stormwater treatment requirements.<sup>14</sup>

#### **City of San José Post-Construction Urban Runoff Management (Policy 6-29)**

The City of San José Policy No. 6-29 requires all new and redevelopment projects to implement Post-Construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs) to the maximum extent practicable. This policy also establishes specified design standards for post-construction TCMs for projects that create, add, or replace 10,000 square feet or more of impervious surfaces. The proposed trail project is not subject to the requirements of City Council Policy 6-29.

#### **City of San José Post-Construction Hydromodification Management (Policy 8-14)**

In 2005, the City of San José adopted the Post-Construction Hydromodification Management Policy (Council Policy No. 8-14) to manage development related increases in peak runoff flow, volume and duration, where such hydromodification is likely to cause increased erosion, silt pollution generation, or other impacts to local rivers, streams, and creeks. The proposed trail project is not subject to the requirements of City Council Policy 8-14.

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<sup>14</sup> Nolte Associates, "Storm Water Treatment on Trails Memorandum," May 25, 2007.

## 4.8.2

## Environmental Checklist and Discussion of Impacts

HYDROLOGY AND WATER QUALITY					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 12
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 13
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 12, 13
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 13
j) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

### 4.8.2.1 Drainage and Flooding

According to the FEMA maps, the majority of the creek trail would be constructed within the floodplain of Coyote Creek. The reaches outside of the floodplain include the on-street reach along portions of South 16<sup>th</sup> and 19<sup>th</sup> Streets, and the South 17<sup>th</sup> Street reach.

The SCVWD's Mid-Coyote Creek project is expected to lower the water surface elevation on Coyote Creek in the project area, which will also improve conditions on Lower Silver Creek. Although segments of the proposed trail may be under water during flood events, the project area is not subject to flash flooding and the installation of the trail would not expose people or structures to a significant risk of loss, injury or death involving flooding.

#### **4.8.2.2      *Impact of Pedestrian Bridge***

The greatest potential for hydrological impacts as a result of the project's construction would occur at the proposed pedestrian bridge over Lower Silver Creek at the northern terminus of the reach. At this location, a three-span, ten-foot wide, pre-fabricated bridge would be constructed. The bridge abutments and piers supporting the bridge deck would be located on top of the east and west banks of Lower Silver Creek, as shown on Figure 7.

The bridge deck would be located at an elevation of 91 feet, which is approximately six feet above the maximum predicted water surface elevation for Lower Silver Creek (84.75 feet), meeting FEMA's freeboard requirements for channels with levees.

Bridge spans and approach ramps would also be constructed on each side of Lower Silver Creek as part of the proposed trail. These spans and ramps would be located in ineffective creek flow areas and would therefore not affect flows during flood events. The piers and abutments would also be located in an area of little or no conveyance capacity (velocity of water flow) and would not impact the water surface profile. In the event of a flood, the water would not rise to the soffit of the bridge; therefore, the proposed pedestrian bridge and its abutments would not block water flow or increase backwater conditions. Because the ramps, pier system, bridge span, and abutments would not impact the flow of Lower Silver Creek in normal or flood conditions, the construction of the proposed pedestrian bridge would not have a significant hydrological impact.

#### **4.8.2.3      *Impact of Boardwalk***

The proposed project includes the construction of a 280-foot long, eight-foot wide boardwalk at the top of the eastern bank of the creek adjacent to San José High Academy. During a flood event, the supports of the boardwalk would likely catch debris and could block ineffective flow areas. However, the construction of the boardwalk would not result in a net increase in water surface elevation and would not adversely impact the proposed SCVWD Mid-Coyote Creek flood protection project. Furthermore, the proposed boardwalk would have no net effect to the channel velocities and is not expected to increase the water surface profile upstream of the project site.

#### **4.8.2.4      *Water Quality***

The project includes the installation of a prefabricated boardwalk and a pedestrian bridge within the banks of Coyote Creek. These features would be supported by drilled piers and would require the removal and/or trimming of trees within the banks of the creek. Grading, excavation, and tree removal activities may result in temporary impacts to surface water quality by increasing the potential for sedimentation during construction. Surface runoff during construction could discharge into the creek.

Approximately one-half of the project reach would be located on existing impervious surfaces including city streets and existing trails. The remainder of the trail would be constructed using porous pavement, significantly reducing the amount of stormwater runoff generated by the proposed

project. The proposed project will include standard BMPs consistent with the Municipal NPDES and the trail would be constructed to slope towards the creek to allow stormwater runoff to percolate in soils adjacent to the trail, as necessary. For the trail reach near the Story Road landfill, where percolation into the soil and potentially the landfill itself is not desired, the trail would be constructed according to the requirements of the permitting/regulatory agencies. In this location, porous pavement may not be allowed and the trail could be built to either slope toward the creek and an associated biofiltration strip along the trail, or slope away from the creek into a concrete v-ditch connected to an outfall. Regardless, because approximately one-half of the project length is to be on existing pathways/trails or public streets, the proposed project is not expected to generate a significant amount of stormwater runoff.

**Standard Measures:** The project proposes to implement the following standard measures to reduce and avoid water quality impacts during construction:

- Best Management Practices (BMPs) as specified in the California Stormwater Quality Association's Stormwater BMP Handbook for New and Redevelopment shall be implemented (such as silt fences/straw waddles around the perimeter of the site, regular street cleaning, and inlet protection) to reduce water quality impacts from construction activities.
- Each phase of development shall comply with the City of San José Grading Ordinance, including erosion- and dust-control during site preparation, and with the City of San José Zoning Ordinance requirement for keeping adjacent streets free of dirt and mud during construction.

#### **4.8.3            Conclusion**

The project would not result in significant hydrological impacts to trail users or surrounding development. The proposed project includes standard measures to reduce or avoid impacts associated with water quality during construction. **(Less than Significant Impact)**

## **4.9 LAND USE**

### **4.9.1 Setting**

The proposed trail reach is located within central San José, east of downtown. Land uses in the project area are primarily residential and public/quasi-public, with small areas of industrial uses. The industrial uses are located at the southern and northern ends of the trail reach, with single and multi-family residential uses, public parks, and schools located along the project reach.

From south to north, specific land uses include: an industrial park on Remillard Court, the closed Story Road Landfill site, Selma Olinder Park, Selma Olinder Elementary School, William Street Park, the neighborhoods of Naglee Park, Brookwood Terrace, and Five Wounds, Roosevelt Park, San José High Academy, Park West and Parkside Terrace Apartments, and the Kellogg's Factory. Park West Apartments and the Parkside Terrace complex each have a building that is located within 100 feet of the trail.

#### **4.9.1.1 *Land Use Plans***

##### **City of San José General Plan**

The project site where the new trail would be constructed is designated *Public Park/Open Space* and *Public/Quasi-Public* on the City of San José's 2020 General Plan Land Use Transportation Diagram. These categories are used to designate public land uses, including parks and trails. The General Plan designates the on-street project reach as *Residential* areas with *Medium Low*, *Medium*, or *Medium High Density*.

The Trail and Pathways Policies of the San José General Plan state that trail design should minimize environmental impacts, promote safety and accessibility for all trail users, and encourage trail use as an alternate transportation route. Trail projects should also comply with the design standards established by the City of San José's Department of Public Works. Trail and Pathways Policy #8 of the General Plan also recognizes the value of using public roadways for trail reaches if there is insufficient right-of-way. Further, the proposed trail reach of the Coyote Creek Trail is identified as part of the City of San José Trail Program.<sup>15</sup>

##### **City of San José Zoning Ordinance**

Property along the proposed trail reach is zoned for *Single-Family Residential*, *Two-Family Residential*, *Multi-Family Residential*, *Light Industrial*, and *Commercial General* uses.

##### **Santa Clara County Countywide Trails Master Plan**

The 1995 Countywide Trails Master Plan Update was prepared to direct the Santa Clara County's trail implementation efforts well into the twenty-first century with a balanced regard for the public good and individual desires for privacy. The Master Plan Update is a General Plan guide that identifies potential trail routes that support the recreation, transportation, health and welfare, and science education goals of the County. The policies in the Plan are intended to respect the need for due process, notification, and ongoing cooperation where private land is involved.

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<sup>15</sup> City of San José Department of Parks, Recreation and Neighborhood Services website ([www.sjpark.org/Trails](http://www.sjpark.org/Trails)).

The Coyote Creek Trail is identified in the Master Plan as a Sub-Regional Trail that is intended to provide regional recreation and transportation benefits by providing continuity between cities and convenient, long-distance trail loop opportunities that link two or more regional trails. The Coyote Creek/Llagas Creek Trail extends from the Alameda County Line south to the San Benito County Line, passing through the cities of Milpitas, San José, and Morgan Hill. The trail links the Bay Trail with the Monterey-Yosemite Trail and overlaps with the Juan Bautista de Anza National Historic Trail and the Bay Area Ridge Trail (valley floor reach). According to the Master Plan, the Coyote Creek Trail is intended for equestrian, hiking, and bicycle uses, and on-street reaches are discouraged unless creek side trails are found to be infeasible.

The Master Plan includes planning strategies for the Countywide Trails system, as well as design and management guidelines for the implementation of “new” trails. These guidelines are intended to be a general guide and each trail should be evaluated on a case-by-case basis, taking into account actual field conditions and trail route/land use relationships. Local jurisdictions are encouraged to reference and/or adopt these guidelines, where appropriate, as part of their own General Plans for major trails. The Master Plan includes guidelines regarding trails and land use compatibility, environmental protection, emergency access, easements, trail design, visual screening, fire protection, signage, and maintenance.

#### 4.9.2 Environmental Checklist and Discussion of Impacts

LAND USE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 14, 15
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 14, 15, 16
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 14

##### 4.9.2.1 *Land Use Compatibility*

The proposed project is the construction of a creek trail through the urban project area on lands that are owned by the City, SCVWD, SJUSD, and UPRR. Easements would be required for the construction of the trail on SCVWD and SJUSD properties and the railroad trestle bridge would need to be acquired by the City. No other lands are required from any other private property owners.

While the creek trail is designed to be visible at gateways and parks located along the reach, where it is to be placed adjacent to the creek, it will only be visible to immediately adjacent land uses. Single-family residential uses line the streets on which the on-street reaches would be placed. Pedestrian and bicycle traffic would not increase significantly on streets and sidewalks in the residential neighborhoods. Noise impacts associated with the use of the trail would not be significant, given the

high existing ambient noise levels of the project reach area. The project does not include the lighting of the trail, except under Interstate 280 for safety purposes.

As described in Section 3.0, *Project Description*, an easement would be needed to construct the trail along some portions of the San José High Academy property, north of East Julian Street. Existing parking lots would need to be restriped to accommodate the trail, although it is anticipated that overall no parking spaces would be lost. The existing chain-link fence between the high school and the creek would be maintained. Four locked emergency access gates would be located along the fence of the southern San José High Academy campus, as shown on Figure 6.

As described in the noise and air quality sections of this Initial Study, the construction of the trail may result in short-term construction-related noise and air quality impacts. Implementation of the mitigation and avoidance measures, as described in those sections, would further reduce or avoid these temporary impacts. For the reasons described above, the project would not result in significant land use compatibility impacts, divide an established community, or conflict with an applicable habitat conservation plan.

#### **4.9.2.2      *Conformance with Land Use Plans***

##### **City of San José General Plan**

The proposed project is consistent with the City of San José General Plan land use designation of *Public Park/Open Space* and *Public/Quasi-Public* because it is the construction of a creek trail for public recreational uses. The improvements made on city streets and sidewalks as part of the project would not conflict with the designated residential land uses.

The majority of the project is consistent with the Trail and Pathways Policies of the General Plan, because the design process took into account accessibility, safety, and connectivity within the existing network to encourage trail use as an alternate mode of transportation. As previously described, placing trails within the right-of-way of public roadways is consistent with Trail and Pathways Policy #8.

##### **Zoning Designations**

The construction of the trail along the proposed reach would not be inconsistent with the zoning designations for the properties upon which the trail would be constructed.

##### **Santa Clara County Countywide Trails Master Plan**

The proposed project is the completion of a sub-regional trail as identified in the Countywide Trails Master Plan. The City of San José has completed a Feasibility Study for the project that allowed the opportunity for public input during the design phase of the proposed trail extension. In addition, the guidelines of the Master Plan, as described above, were taken into account during the design stage for the Coyote Creek Trail planning process. The trail reach was designed to take into account land use compatibility, visual screening, signage, environmental protection, maintenance, easements, emergency access, and fire protection.

The Coyote Creek Trail Master Plan, Story Road to Lower Silver Creek project is consistent with the Countywide Trails Master Plan regarding the intended uses of the trail. While the proposed project does not include equestrian use and includes on-street bicycle and pedestrian segments, the Master Plan also recognizes the need to adapt to actual conditions. Private ownership of the land adjacent to



the creek between East William Street and Santa Clara Street prevents the construction of a trail along all portions of the desired reach. The Feasibility Study determined that equestrian use is infeasible because of the “on-street reach, urban conditions, trees that are poisonous to horses, on-street trail crossings, narrow boardwalks, limited right-of-way clearance at the top of creek banks in some areas, and no staging area for horse trailer parking”. Therefore, the project design is not inconsistent with the Santa Clara County Countywide Trails Master Plan Update.

#### **4.9.3            Conclusion:**

The proposed project would not result in significant impacts associated with land use compatibility.  
**(Less than Significant Impact)**

## 4.10 MINERAL RESOURCES

### 4.10.1 Setting

The project site is within a developed urban area. No record exists of gravel or other mineral resource extraction in the project reach area.

### 4.10.2 Environmental Checklist and Discussion of Impacts

MINERAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

The project site is not located within a designated area containing mineral deposits of regional significance and therefore, would not result in the loss of availability of a known mineral resource. For these reasons, the proposed project would not result in impacts to mineral resources.

### 4.10.3 Conclusion

The proposed project would not result in significant impact from the loss of availability of a known mineral resource. **(No impact)**

## **4.11 NOISE**

### **4.11.1 Setting**

#### **4.11.1.1 *Background Information***

Noise is measured in "decibels" (dB) which is a numerical expression of sound levels on a logarithmic scale. A noise level that is ten dB higher than another noise level has ten times as much sound energy and is perceived as being twice as loud. Sounds less than five dB are just barely audible, and then only in the absence of other sounds. Intense sounds of 140 dB are so loud that they are painful and can cause damage with only a brief exposure. These extremes are not commonplace in our normal working and living environments. An "A-weighted decibel" (dBA) filters out some of the low and high pitches which are not as audible to the human ear. Thus, noise impact analyses commonly use the dBA.

#### **4.11.1.2 *Applicable Noise Standards and Policies***

The City of San José's General Plan contains policies and goals which pertain to desired noise levels for various land uses located within the City. These policies and goals are expressed in terms of the Ldn, which stands for Day-Night level and is a 24-hour average of noise levels, with 10 dB penalties applied to noise occurring between 10 pm. and 7 am. The General Plan cites long-term and short-term exterior Ldn goals for residential uses of 55 dBA and 60 dBA, respectively. Outdoor uses on sites where the Ldn is above 60 dBA should be limited to acoustically protected areas.

#### **4.11.1.3 *Existing Noise Conditions***

The primary sources of noise within the project area are street, freeway, and air traffic noise. The adjacent industrial park near Remillard Court in the south, the Kellogg's Factory in the north, Selma Olinder Elementary School, and San José High Academy also generate noise. Ambient noise levels along I-280 are between 75 and 79 dBA.<sup>16</sup> Ambient noise levels along the proposed trail reach are expected to be similar to those in the surrounding neighborhoods, which are estimated by the City of San José to be between 65 and 69 dBA.

#### **4.11.1.4 *Sensitive Receptors***

Sensitive noise receptors within the project area include single-family residential uses located on 16<sup>th</sup>, 17<sup>th</sup>, and 19<sup>th</sup> Streets, multi-family residential uses located near the northern portion of the reach (Park West and Parkside Terrace apartment complexes), Selma Olinder Elementary School, and San José High Academy.

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<sup>16</sup>City of San José, Geographic Information System, 2004.

#### 4.11.2 Environmental Checklist and Discussion of Impacts of Impacts

NOISE					
WOULD THE PROJECT:	IMPACTS				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

##### 4.11.2.1 *Noise Exposure to Trail Users*

As previously mentioned, ambient noise levels in the project area are considered to be similar to those within the existing surrounding neighborhoods. Noise exposure of future trail users to elevated ambient noise levels would be short-term as they travel on both the on-street reaches and along the creek trail. Noise levels experienced along the proposed trail would be consistent with noise levels within Selma Olinder and Roosevelt Parks, which are adjacent to residential and school uses. For these reasons, the project would not result in significant noise impacts to trail users.

##### 4.11.2.2 *Long-Term Noise Impacts from the Project*

As described previously, the trail reach would be adjacent to industrial, school, and residential land uses. Of these categories, residential and school land uses are considered “sensitive” with regard to exposure to elevated noise levels, consistent with the noise guidelines of the City’s General Plan.

Long-term noise related to the proposed trail project would be from the users of the trail. Specific sources would typically consist of human behaviors (conversations, shouting, laughing, etc.) and warning bells/whistles mounted on bicycles. Typical noise levels associated with a shout or ringing

bell would be 65-70 decibels at a distance of 20 feet, with conversations and laughing measuring 50-55 decibels at the same distance.

While the above-described noise would probably be audible from time-to-time at nearby residences and schools, the effects would not be significant based on the following facts:

- The only location where residential uses are located adjacent to the proposed trail reach is along the on-street reach and in the northern portion of the reach, adjacent to the existing apartment complexes. Ambient noise levels are relatively high in these areas due to street noise, which would have the effect of at least partially masking trail-generated noise. In addition, most of the residences along the on-street reach are located at least 20 feet from the sidewalks, with backyards away from the street, and existing walls and vegetation would absorb at least some of the trail-generated noise near the apartment buildings.
- All other residential uses in the project vicinity are located more than 150 feet from the proposed trail reach.
- The trail currently travels through Selma Olinder Park, adjacent to Selma Olinder School.
- The location of the trail in the vicinity of San José High Academy would be within existing parking lots and on the window-less sides of existing classroom buildings.
- The trail will be closed one hour after sunset and will open one hour before sunrise, eliminating the potential for any trail-generated noise to disturb residences during the noise-sensitive nighttime hours.

Wildlife currently using Coyote Creek are typically tolerant of high levels of disturbance due to the almost continuous acoustic disturbance from freeway traffic along I-280, aircraft overflights, and industrial and residential development to the east and west. The visual and acoustic disturbance to wildlife associated with the proposed trail use is not expected to be significantly higher than currently exists, and wildlife along the channel is expected to adapt to the new levels of disturbance.

#### **4.11.2.3      *Short-Term Construction Noise***

The construction of the project would generate short-term noise at adjacent residential and school uses, and along the creek. The major noise generating activities associated with project construction would include grading, construction of retaining walls (if necessary), pier drilling, and construction of the trail and its associated amenities (fencing, signs, etc.). During the expected construction period (nine to 18 months), noise levels are expected to be highest during site grading, pier drilling, and installation of the asphalt pavement. Typical hourly average construction-generated noise levels are about 81 dBA to 89 dBA measured at a distance of 50 feet from the construction area during busy construction periods.

Construction-generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor. The only residential areas that could be affected by construction noise are the single-family residences along the on-street reach, the residences on the west side of the creek in the vicinity of the boardwalk (San José High Academy), and the multi-family residential uses in the northern portion of the reach. The only construction along the on-street trail reach would be associated with minor sidewalk improvements and the installation of signs, which would generate relatively little noise compared to ambient/roadway conditions. The raised boardwalk adjacent to San José High Academy and the proposed pedestrian bridge over Lower Silver Creek would require

pier drilling; however, the bridge over Lower Silver Creek would be located approximately 250 feet from the nearby multi-family residential uses, reducing construction-related noise to allowable levels. The proposed boardwalk would be located approximately 150 feet from the nearest residential uses. Given that ambient noise levels are between 65 and 69 dBA, construction noise would be temporary, and standard measures are included in the project to avoid or reduce noise levels during construction, the proposed project would not result in significant construction related noise impacts to residential uses near the boardwalk location.

As previously described, wildlife currently using Coyote Creek are typically tolerant of high levels of disturbance. Birds within the corridor would be able to migrate to other areas of the creek during peak construction periods. For these reasons, noise associated with the construction of the proposed trail is not expected to significantly impact wildlife within the creek corridor.

These impacts would be temporary in nature and standard construction noise avoidance measures (City of San José Municipal Code, Title 20) would be implemented. For these reasons, construction of the proposed project would not result in significant noise impacts to surrounding residential uses during construction.

**Standard Measures:** The project proposes to implement the following standard measures to reduce short-term construction noise impacts along the entire project reach, as necessary:

- Noise-generating construction activities shall be limited to the hours between 7:00 am and 7:00 pm Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building, and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
- Contractors shall use “new technology” power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.
- Locate staging areas a minimum of 200 feet from noise sensitive receptors, such as residential uses.

### **Impacts to Schools**

The proposed widening of the existing eight-foot wide pedestrian path through Selma Olinder Park could generate noise levels that would affect classroom activities at Selma Olinder Elementary School. The closest classroom is located approximately 50 feet from the existing path.

The construction of the boardwalk adjacent to San José High Academy would require the installation of drilled pier foundations, which would be expected to generate noise in the 81 dBA to 89 dBA range. Noise generated by this construction adjacent to San José High Academy would affect classroom activities in the buildings nearest the trail construction. These buildings are located approximately three to four feet from the proposed construction. For these reasons, construction-related noise impacts to Selma Olinder Elementary and San José High Academy would be significant.

**Impact NOI-1:** The proposed project would result in significant short-term construction-related noise impacts to Selma Olinder Elementary School and San José High Academy. **(Significant Impact)**

**Mitigation Measure:** The following mitigation measure is included in the project to reduce construction-related noise impacts at Selma Olinder Elementary School and San José High School to a less than significant level:

**MM NOI-1.1:** Construction activities that generate noise levels in excess of 60 dBA adjacent to the existing classroom buildings at Selma Olinder Elementary School and San José High Academy will be limited to non-school hours.

#### **4.11.3      Conclusion**

With the implementation of mitigation measures identified above, the proposed project would not result in significant short- or long-term noise impacts to surrounding residential and school uses, or wildlife. Impacts to future trail users as a result of the existing ambient noise levels in the project area would also be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**



## 4.12 POPULATION AND HOUSING

### 4.12.1 Setting

The proposed project is the construction of a creek trail within an urbanized area of San José.

### 4.12.2 Environmental Checklist and Discussion of Impacts

POPULATION AND HOUSING					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 14
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Displace substantial numbers of existing people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

The nature of the proposed project is such that it would not induce growth or displace any housing.

### 4.12.3 Conclusion

The proposed project would not result in impacts on population and housing within the project area or regionally. No mitigation measures are required or proposed. **(No Impact)**

## 4.13 PUBLIC SERVICES

### 4.13.1 Setting

The proposed project is located within the City of San José. Fire, police, and emergency services are provided by the City of San José. The trail would run adjacent to Selma Olinder Elementary School and San José High Academy and through Selma Olinder Park, William Street Park, and Roosevelt Park.

### 4.13.2 Environmental Checklist and Discussion of Impacts

PUBLIC SERVICES					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

#### 4.13.2.1 *Fire and Police Service*

The proposed project is the construction a segment of the Coyote Creek Trail in central San José. Emergency personnel would be able to access much of the trail from existing streets. Potential emergency access locations include:

- Remillard Court;
- The trestle bridge at Senter Road (for pedestrian access only);
- Selma Olinder Park at Woodborough Place and East William Street;
- 16<sup>th</sup>, 17<sup>th</sup>, and 19<sup>th</sup> Streets from East William Street to Santa Clara Street;
- Roosevelt Park on East Santa Clara Street;
- East Julian Street;
- Park West Apartments;
- Parkside Terrace Apartments; and
- SCVWD Service Road, north of Lower Silver Creek and east of the Kellogg's Factory.

The introduction of more individuals along the proposed reach may increase calls for service within the project area. The reported incidents would be similar to those that occur at neighborhood parks or other trails in the region. However, the presence of trail users within the creek area would discourage unlawful activity, including the setting of fires. The construction of the trail itself would also improve emergency access to the creek area, which is fairly secluded.

Due to the narrowness of the creek banks along much of the reach, it is expected that fires can be fought from one side of the bank, as they currently are. Adequate water supply to fight fires is provided by existing fire hydrants located within the surrounding industrial and residential areas of the project vicinity. The nearest fire stations to the project site are shown in the table below.

<b>TABLE 4: NEAREST FIRE STATIONS</b>		
<b>Station No.</b>	<b>Address</b>	<b>Distance (Miles)</b>
8	802 East Santa Clara Street	0.1 miles from Roosevelt Park entrance 0.9 miles from East Julian Street access 0.9 miles from William Street Park
3	98 Martha Street	1.3 miles from Remillard Court

For the reasons stated above, the proposed project would not result in a significant increase in the need for fire or police services within the project reach area.

#### **4.13.2.2      *Schools, Parks, and Other Public Services***

The creek trail would provide recreational uses in proximity to residential land uses and within existing city parks. The extension of the creek trail would not result in a need for new schools or parks within the project area.

#### **4.13.3      Conclusion**

The proposed project could result in a slight increase in the demand for emergency services within the project area; however, access to the creek area would be improved overall. The project would provide additional recreational opportunities within the project area. Therefore, the project would not result in significant impacts to public services and no mitigation measures are proposed or required. **(Less than Significant Impact)**

## 4.14 RECREATION

### 4.14.1 Setting

The proposed project is the construction of a segment of the Coyote Creek Trail from Story Road to the confluence of Coyote Creek and Lower Silver Creek in central San José. Eventually, the trail would serve to provide pedestrian and bicycle access from the Walnut Rest Area near Anderson Country Park in Morgan Hill to the San Francisco Bay Trail at Highway 237 in north San José. The trail will ultimately link with two Regional Trails: the San Francisco Bay Trail and the Monterey-Yosemite Trail.<sup>17</sup> The trail reach that is the subject of this Initial Study is proposed to be located on existing trails within Selma Olinder Park, William Street Park, and Roosevelt Park.

### 4.14.2 Environmental Checklist and Discussion of Impacts

RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

The proposed project would provide the surrounding residential areas with recreational opportunities and pedestrian and bicycle access to jobs, neighborhoods, parks, and schools in central San José. The proposed project would not cause substantial deterioration of existing parks or recreational facilities. The environmental impacts of this project are described in other sections of this document, none of which are significant.

### 4.14.3 Conclusion

The project would not result in physical deterioration of existing recreational facilities. No mitigation measures are required or proposed. **(Less than Significant Impact)**

<sup>17</sup> Santa Clara County, *Countywide Trails Master Plan Update*, November 14, 1995.

## **4.15 TRANSPORTATION**

### **4.15.1 Setting**

The project reach is located east of downtown San José, between Story Road and US 101, near the confluence of Coyote Creek and Lower Silver Creek.

#### **4.15.1.1 *Street Network***

Local access to the project reach is provided by the roadways described below, and shown on Figure 2.

*Story Road*, which becomes Keyes Road at its intersection with Senter Road, is a six-lane arterial street that runs east to Fleming Avenue. *Remillard Court* is located near the southern terminus of the proposed trail reach and would provide access to the existing City of San José maintenance road on which the trail would be constructed. *Senter Road* is a six-lane arterial street that connects the parking lot at Kelley Park with the proposed railroad trestle reach.

The existing segment of the Coyote Creek Trail in Selma Olinder Park connects to *Woodborough Place*, a residential street that dead-ends directly north of I-280. *East William Street* is a two-lane residential street that connects Colton Place near the San José Convention Center in the west to McLaughlin Avenue in the east.

In addition to East William Street, the on-street reach utilizes portions of the following north-south residential streets: South 16<sup>th</sup> Street, South 17<sup>th</sup> Street, and South 19<sup>th</sup> Street. *South 16<sup>th</sup> Street* connects Margaret Street in the south with East Santa Clara Street at the former San José Hospital. *South 17<sup>th</sup> Street* begins at the intersection of South 16<sup>th</sup> Street and East San Salvador Street, changes to North 17<sup>th</sup> Street at East Santa Clara Street, and ultimately ends at Berryessa Road. *South 19<sup>th</sup> Street* connects Woodborough Drive in the south with Roosevelt Park in the north, at East Santa Clara Street.

*East Santa Clara Street*, one of the main streets in downtown San José, is a four-lane arterial street that changes from The Alameda (State Route 82 or “El Camino Real”) near Autumn Street. East Santa Clara Street would be used for a small portion of the on-street reach and would provide access to Roosevelt Park and the proposed creek trail.

*East Julian Street* is a two-lane, east-west arterial that travels along the north edge of San José’s downtown core area and becomes McKee Road at US 101 in the east. East Julian Street, which bisects the San José High Academy, runs through the proposed trail reach.

I-280 and US 101 would provide regional access to the proposed segment of the Coyote Creek Trail. *I-280* is an eight-lane freeway extending from US 101 in San José to I-80 in San Francisco. *US 101* is a federal highway that runs north-south through the state of California, passing through San Francisco and San José.

#### **4.15.1.2 *Pedestrian, Bicycle, and Transit Facilities***

Sidewalks and crosswalks (signalized and unsignalized) are located throughout the project area. Story Road has signalized intersections with Remillard Court and Senter Road. There are signalized intersections on East Santa Clara Street at South 17<sup>th</sup> and 19<sup>th</sup> Streets. There is no existing crosswalk at the proposed crossing of East Julian Street near San José High Academy, although there are

signalized intersections at North 19<sup>th</sup> Street, North 21<sup>st</sup> Street, and North 24<sup>th</sup> Street. Intersections on the project reach with stop signs include: East William Street and South 16<sup>th</sup> Street, East William Street and South 19<sup>th</sup> Street, and East San Antonio Street and South 19<sup>th</sup> Street.

South 17<sup>th</sup> Street currently has a designated Class II bikeway and the existing segment of Coyote Creek Trail in Selma Olinder Park is designated as a Class I bikeway by the Santa Clara Valley Transportation Authority (VTA). According to VTA's Santa Clara Valley Bikeways Map, Story Road, East Santa Clara Street and East Julian Street have street ratings of "Alert" or "Extreme Caution."

Transit services in the project vicinity are provided by VTA. VTA runs bus service on Story Road (Route 25), Senter Road (Route 73), East Santa Clara Street (Routes 22, 64, and 522), and East Julian Street (Route 81). Route 72 runs in an east-west direction on East San Antonio Road and East San Carlos Street through the proposed on-street reaches on South 16<sup>th</sup>, 17<sup>th</sup>, and 19<sup>th</sup> Streets. Bus stops are located at various locations within the project area.

#### 4.15.2 Environmental Checklist and Discussion of Impacts

TRANSPORTATION / TRAFFIC					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
b) Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 16

The proposed project is the extension of the Coyote Creek Trail in central San José. The project would not increase vehicular traffic in the project area and may result in fewer vehicle trips by providing a safe, off-street, alternative means of access for area commuters and residents. As previously described, the proposed project would improve emergency access to the creek area.

#### **4.15.2.1      *Pedestrian, Bicycle, and Transit Facilities***

The extensive sidewalk network and crosswalks in the project area would provide safe pedestrian access to the trail. The proposed project includes gateway features at the two trail heads (at the Remillard Court/Story Road intersection in the south and at the Lower Silver Creek/Coyote Creek confluence on the north side of the proposed pedestrian bridge), Selma Olinder Park at East William Street, and the entrance to Roosevelt Park on East Santa Clara Street. The gateways would be constructed according to the requirements of the Americans with Disabilities Act (ADA).

The project also includes some sidewalk improvements along the proposed on-street trail reach on South 16<sup>th</sup>, 17<sup>th</sup>, 19<sup>th</sup> Streets, East William Street, and East Santa Clara Street. While the trail reach would utilize existing transportation infrastructure, the modifications would improve accessibility and establish recognition of the trail reach.

The project includes the creation of a new mid-block crosswalk on East Julian Street, to be located east of the bridge over Coyote Creek. This mid-block crosswalk will require approval from the City's Department of Transportation. The new crosswalk would allow trail users to cross East Julian Street and would directly link the north and south campuses of San José High Academy. The nearest signalized crosswalk is located approximately 200 feet west of the proposed mid-block crosswalk at the intersection of East Julian Street and North 21<sup>st</sup> Street.

The proposed trail would provide an additional bicycle route and contribute to the network of pedestrian and bicycle facilities in the project area.

There are numerous transit routes within walking distance to the trail's access points. The existing bus service in the area would likely have available capacity to accommodate the modest increase in ridership from trail users. The proposed project would not adversely affect transit within the project area.

#### **4.15.2.2      *Parking***

Parking lots would not be constructed along the proposed reach. Parking areas are available at Kelley (paid parking), Selma Olinder, William Street and Roosevelt Parks. On-street parking is available near the Remillard Court and East Julian Street access points, as well as along the residential streets of the on-street trail reach between East William Street and East Santa Clara Street. Due to the amount of available on-street parking along the 3.1-mile project reach, it would be expected that no one street would experience a significant increase in the demand for parking because of the trail's construction. For these reasons, the proposed trail would not result in a significant transportation impact associated with either an increase in vehicular traffic or the need for on-street parking.

#### **4.15.3      Conclusion**

The proposed project would not result in significant transportation impacts. No mitigation measures are required or proposed. **(Less than Significant Impact)**

## 4.16 UTILITIES AND SERVICE SYSTEMS

### 4.16.1 Setting

All utilities are currently available within the project reach area.

### 4.16.2 Environmental Checklist and Discussion of Impacts

UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
h) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

The proposed project does not include the construction of any new stormwater outfalls within the banks of Coyote Creek. With the possible exception of electricity for lighting under I-280, the proposed project is not expected to require the extension or use of utilities and/or service systems for its use or operation.

### 4.16.3 Conclusion

The proposed project would not result in significant impacts to utilities and service systems. Therefore, no mitigation measures are required or proposed. **(Less than Significant Impact)**



MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES			NO	
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 6
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 6
c) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 6, 7, 11, 12
d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 7, 8, 9, 10, 11, 13

### Conclusion

As determined in the previous sections of this Initial Study, the project would not result in significant environmental impacts with the implementation of the proposed mitigation measures. The project site is not considered to be habitat for any special status wildlife species and trees removed from the site will be replaced according to City requirements. Mitigation is included in the project to reduce impacts to nesting raptors.

Future noise impacts associated with the construction of the proposed boardwalk in the vicinity of San José High Academy would not result in significant impacts with the implementation of mitigation measures described in *Section 4.11, Noise* of this Initial Study. Hazardous materials impacts would be mitigated to a less than significant level by the mitigation measures included in the project as described in *Section 4.7, Hazards and Hazardous Materials*. The proposed project would not result in unavoidable or unmitigatable significant environmental impacts.

There are currently no established thresholds for determining a project's impact on global climate change. Given that the proposed creek trail project would encourage non-motorized commuter travel and link a variety of land uses in a developed area of downtown San José, the proposed project would

not result in substantial new greenhouse gas emissions and may even reduce vehicle trips in the project area.

The proposed project area is located in an established, primarily developed residential and industrial area of central San José. The majority of recent development has been the result of the redevelopment of under-utilized or previously industrial and public/quasi-public properties. Known proposed projects in the vicinity include the retrofitting of two bridges over Coyote Creek (East Julian Street and East William Street) and the demolition of San José Medical Center on East Santa Clara Street. Construction or demolition activities at any site within the project vicinity that could affect water quality in Coyote Creek would be required to implement construction and post-construction Best Management Practices in conformance with Council Policy 6-29 and 8-14. The proposed projects in the vicinity are not expected to result in permanent impacts to aquatic habitats. No other projects that could result in similar impacts as the proposed project are currently foreseen for the project area. For these reasons, the proposed project would not result in impacts that are individually limited, but cumulatively significant. **(Less than Significant Impact with Mitigation Incorporated)**

## CHECKLIST INFORMATION SOURCES

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4. H.T. Harvey & Associates, *Natural Environment Study, Coyote Creek Trail Master Plan*, December 2007.
5. City of San José, *Riparian Corridor Policy Study*, March 1999.
6. Basin Research Associates, *Archaeological Survey Report, Coyote Creek Trail Master Plan, Story Road to U.S. Highway 101, City of San José, Santa Clara County*, June 2007.
7. Pacific Geotechnical Engineering, *Geotechnical Investigation, Proposed Boardwalk and Pedestrian Bridge, Coyote Creek Trail Project*, San José, California, May 25, 2007.
8. California State Department of Conservation, Division of Mines and Geology, *Seismic Hazard Zone Report for the San José West 7.5-minute Quadrangle, Santa Clara County, California*, Seismic Hazard Zone Report 058, 2002.
9. Santa Clara County Geologic Hazard Zones Map (Compressible Soil Hazard Zones, Landslide Hazard Zones, and Dike Failure Hazard Zones; and Liquefaction Hazard Zones), <http://www.sccgov.org>, 2002.
10. Association of Bay Area Governments (ABAG), <http://www.abag.ca.gov/bayarea/eqmaps/liquefac/liquefac.html>, 2001.
11. Krazan & Associates, *Phase I Environmental Site Assessment*, June 2007.
12. CH2M HILL, *Coyote Creek/Lower Silver Creek Pedestrian Crossing, Location Hydraulic Study*, May 10, 2007; *Coyote Creek Trail Boardwalk: Lower Silver Creek to Story Road Location Hydraulic Study*, November 2, 2007.
13. Federal Emergency Management Agency, Flood Insurance Rate Map, City of San José, Panels 060349 0025 and 060349 0019, revised June 19, 1989, and December 16, 1988, respectively.
14. City of San José 2020 General Plan.
15. City of San José Zoning Ordinance, July 2006.
16. Santa Clara County, *Countywide Trails Master Plan Update*, November 14, 1995.
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## **SECTION 6.0 LEAD AGENCY AND CONSULTANTS**

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### **LEAD AGENCY**

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Contact: Michael Rhoades, Senior Planner

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